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No. 42] NEW DELHI, OCTOBER 11—OCTOBER 17, 2009, SATURDAY/ASVINA 19—ASVINA 25, 1931

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके  
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं  
Statutory Orders and Notifications Issued by the Ministries of the Government of India  
(Other than the Ministry of Defence)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय  
(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 6 अक्टूबर, 2009

का.आ 2815.—केन्द्रीय सरकार एतद्वारा अपराध प्रक्रिया संहिता, 1973 (1974 का अधिनियम सं. 2) की धारा 24 की उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए दिल्ली विशेष पुलिस स्थापना (सीबीआई) द्वारा स्थापित मामलों के अभियोजन के लिए गोवा राज्य में विधि द्वारा स्थापित पुनरीक्षण अथवा अपीलीय न्यायालयों में इन मामलों के अपील, पुनरीक्षण का संचालन करने के लिए निम्नलिखित अधिवक्ताओं को विशेष लोक अभियोजक के रूप में नियुक्त करती है :—

सर्वश्री

1. जोसेफ एस. वाज
2. संतोष रामा रिवंकर

[सं. 225/21/2009 ए. वी. डी.-II]  
चंद्र प्रकाश, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES  
AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 6th October, 2009

S.O. 2815.—In exercise of the powers conferred by sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints following Advocates as Special Public Prosecutors for conducting prosecution of cases instituted by the Delhi Special Police Establishment (CBI) in the State of Goa as entrusted to them by the Central Bureau of Investigation in the trial courts and appeals/revisious or other matters arising out of these cases in revisional or appellate courts established by law.

[No. 225/21/2009-AVD-II]

CHANDRA PRAKASH, Under Secy.

नई दिल्ली, 6 अक्टूबर, 2009

का.आ 2816.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम 1946 (1946 का अधिनियम सं. 25) की धारा 6

के साथ पठित धारा 5 की उप-धारा (ए) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए कर्नाटक राज्य सरकार सचिवालय, विधान सौध, बंगलौर की दिनांक 25 अगस्त, 2009 की अधिसूचना सं एच. डी. 110 पी.सी.आर. 2009 द्वारा प्राप्त सहमति से पुलिस स्टेशन, बंगलौर सिटी हाई ग्राउंड्स में पंजीकृत मै. फ्यूजर मेटल्स (प्रिवेट) लि. तथा अन्यो के विरुद्ध भारतीय दण्ड संहिता, 1860 (1860 का अधिनियम सं.45) की धारा 405, 468, 420, धारा 34 के साथ पठित 120-बी के अंतर्गत अपराध संख्या 176/09 के संबंध में अपराध संबंधी प्रयास, दुष्प्रेरणों एवं षडयंत्रों अथवा संयोजन के अनुक्रम में किए गए अथवा उन्हीं तथ्यों से उद्भूत अन्य अपराध या अपराधों का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार संपूर्ण कर्नाटक राज्य के संबंध में करती है।

[सं. 228/50/2009-ए. वी. डी.-II]

चंद्र प्रकाश, अवर सचिव

New Delhi, the 6th October, 2009

S.O. 2816.— In exercise of the powers conferred by sub-section (1) of section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Karnataka, Secretariat, Vidhana Soudha, Bangalore vide Notification No. HD 110-PCR 2009 dated 25th August, 2009, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Karnataka for investigation of Crime No. 176/09 under Sections 405, 468, 420, 120-B read with Section 34 of the Indian Penal Code, 1860 (Act No. 45 of 1860) against M/s. Future Metals (P) Limited and others registered at Police Station Bangalore City High Grounds and attempts, abettments and conspiracies in relation to or in connection with the offences mentioned above and any other offence or offences committed in the course of the same transaction or arising out of the same facts.

[No. 228/50/2009-AVD-II]

CHANDRA PRAKASH, Under Secy.

वित्त मंत्रालय

(आर्थिक कार्य विभाग)

नई दिल्ली, 29 सितम्बर, 2009

का.आ 2817.— वित्त मंत्रालय, आर्थिक कार्य विभाग की दिनांक 25 जून, 2009 की समसंख्यक अधिसूचना में आंशिक संशोधन करते हुए वित्त मंत्रालय, आर्थिक कार्य विभाग के निम्नलिखित अधिकारियों को एमआई प्रभाग में केन्द्रीय जन सूचना अधिकारी के रूप में मनोनीत किया जाता है:

क्र.सं.	नाम	पदनाम	इसके संबंधित मामलों
1	2	3	4
1.	श्री दलीप कपूर	अवर सचिव (एमआई)	कृषि, ग्रामीण विकास, विप्लव-प्रतिकार, विकास, जल संसाधन तथा आपदा प्रबंधन

1	2	3	4
2.	श्री सौम्या चटोपाध्याय	अवर सचिव (एमआई)	विश्व बैंक-नीतिगत मामले, स्वास्थ्य एवं शिक्षा, परिवहन, जलापूर्ति तथा एमआई प्रभाग में सामान्य समन्वयन
3.	श्री पी. मोहनदासन	अवर सचिव (एडीबी)	ऊर्जा, पर्यावरण एवं वानिकी, एडीबी-शहरी एवं विद्युत क्षेत्र
4.	श्री एस. के. सिंह	अवर सचिव (एडीबी)	एडीबी : सभी क्षेत्रों (शहरी एवं विद्युत क्षेत्रों को छोड़कर) से संबंधित परियोजनाएं तथा अंतरराष्ट्रीय मुद्रा कोष से संबंधित कार्य।

[फा. सं. 1/1/2005-आरटीआई]

एस. कानकम्बरन, अवर सचिव (आरटीआई)

#### MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 29th September, 2009

S.O. 2817.— In Partial modification of Ministry of Finance Department of Economic Affairs' notification of even number dated 5th June, 2009, the following officers of the Ministry of Finance, Department of Economic Affairs is designated are Central Public Information Officers in MI Division.

S.No.	Name	Designation	Matter relating to
1.	Sh. Dalip Kapur	US (MI)	Agriculture, Rural Development, Decentralization, irrigation, Water Resources & Disaster Management.
2.	Sh. Soumya Chattopadhyay	US (MI)	World Bank-Policy matters. Health & Education, Transport, Water Supply & General Coordination within MI Division.
3.	Sh P. Mohanadasan	US (ADB)	Energy, Environment & Forestry, ADB-Urban & Power sectors.
4.	Sh. S. K. Singh	US (ADB)	ADB : Projects relating to all sector (excluding Urban & Power Sectors) and work related to IMF.

[F.No. 1/1/2005-RTI]

S. KANAKAMBARAN, Under Secy (RTI)

( वित्तीय सेवाएं विभाग )

नई दिल्ली, 5 अक्टूबर, 2009

क्र.आ. 2818.— बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार, भारतीय रिज़र्व बैंक लिमिटेड पर, एम्प्लोयर्स, क्लब कोमिंगा करती है कि उक्त अधिनियम की धारा 19 (2) के प्रवर्णन, बैंक आफ इंडिया पर लागू नहीं होंगे, जहां तक उनका संबंध, संयुक्त उद्यम कंपनी-स्टार यूनियन डार्-ईची लाइफ इंश्योरेंस कंपनी लि. की चुकता शेयर पूंजी के 30% से अधिक की शेयरधारिता से है।

[फा. सं.-7/86/2007-बीजेए]

डी. डी. माहेश्वरी, अवर सचिव

(Department of Financial Services)

New Delhi, the 5th October, 2009

S.O. 2818.— In exercise of the powers conferred by Section 53 (1) of the Banking Regulation Act, 1949 (10 of 1949), the Government of India, on the recommendations of Reserve Bank of India, hereby declares that the provisions of Section 19 (2) of the said Act shall not apply to Bank of India in so far as they relate to its holding of the shares in excess of 30% of the paid-up share capital of the Joint Venture company-Star Union Dai-ichi Life Insurance Co. Ltd.

[F. No. 7/86/2007-BOA]

D. D. MAHESHWARI, Under Secy.

नई दिल्ली, 6 अक्टूबर, 2009

क्र.आ. 2819.— रूग्ण औद्योगिक कंपनी (विशेष उपबंध) अधिनियम, 1985 की धारा 6 की उप-धारा (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एम्प्लोयर्स, श्री के. चेरियान वरगीस को वाइसर में कनिष्ठतम सदस्य होने के कारण 17 सितम्बर, 2009 से अगले आदेश होने तक वाइसर के अध्यक्ष के रूप में कार्य करने के लिए प्राधिकृत करती है।

इसे 16 सितम्बर, 2009 के सम्प्रसूचक अधिसूचना के अधिकरण में जारी किया जाता है।

[फा. सं. 20(1)/2004-आई एफ-11]

जे. एस. फौगाट, अवर सचिव

New Delhi, the 6th October, 2009

S.O. 2819.— In exercise of the powers conferred by sub-section (5) of Section 6 of the Sick Industrial Companies (Special Provisions) Act, 1985, the Central Government hereby authorises Shri K. Cherian Varghese, being the senior most Member in BIFR to act as Chairman, BIFR from 17th September, 2009, until further orders.

This issues in supersession of Notification of even number dated 16th September, 2009.

[F. No. 20(1)/2004-IF-II]

J. S. FOUGAT, Under Secy.

नई दिल्ली, 6 अक्टूबर, 2009

क्र.आ. 2820.— राष्ट्रीयकृत बैंक (प्रबंध एवं प्रकीर्ण उपबंध) अधिनियम 1970/1980 के खंड 3 के उपखंड (1) के साथ पठित, बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उपधारा 3 (ब) और (3-क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एम्प्लोयर्स, श्री के. चेरियान वरगीस को बैंक आफ इंडिया के निदेशक मंडल में अंतरादेशिक बैंक-सरकारी निदेशक के रूप में नामित करती है।

[फा. सं. 9/26/2008-बीजे-1]

जी. बी. सिंह, उप सचिव

New Delhi, the 6th October, 2009

S.O. 2820.— In exercise of the powers conferred by sub-section 3 (b) and (3-A) of Section 9 of the Banking Companies (Acquisition & Transfer of Undertakings) Act, 1970/1980 read with sub-clause (I) of clause 3 of the Nationalised Banks (Management & Miscellaneous Provisions) Scheme, 1970/1980, the Central Government hereby nominates Shriromesh Sahharwal, as part-time non-official director on the Board of Directors of Central Bank of India for a period of three years from the date of notification or until further orders, whichever is earlier.

[F. No. 9/26/2008-BO-I]

G. B. SINGH, Dy. Secy.

(Department of Revenue)

(Central Board of Direct Taxes)

CORRECTION

New Delhi, the 30th September, 2009

S.O. 2821.— In the Notification Number 68/2009 dated 15-9-2009 the words and figure "clause (ii) of sub-section (1) of the Section 35 of the Income tax Act, 1961" of the first para of the Notification, may be corrected to read as "clause (iii) of sub-section (1) of the Section 35 of the Income tax Act, 1961".

Other terms and condition of the said notification remain unchanged.

[F. No. 203/6/2009-ITA-II]

Dr. SANJAY KUMAR LAL, Under Secy.

(राजस्व विभाग)

(केन्द्रीय प्रत्यक्ष कर बोर्ड)

नई दिल्ली, 5 अक्टूबर, 2009

क्र.आ. 2822.— सर्वसाधारण की जानकारी के लिए एतद्वारा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर विनियमवली, 1962 (उक्त विनियमवली) के नियम 5ग तथा 5घ के

साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनार्थ कर निर्धारण वर्ष 2009-10 के आगे से संगठन तलवार रिसर्च फाउंडेशन, नई दिल्ली को निम्नलिखित शर्तों के अधीन "अन्य संस्था" की श्रेणी में अनुमोदित किया गया है, नामतः:-

- (i) अनुमोदित "वैज्ञानिक अनुसंधान संघ" का एक मात्र उद्देश्य वैज्ञानिक अनुसंधान करना होगा ;
- (ii) अनुमोदित संगठन स्वयं वैज्ञानिक अनुसंधान कार्य-कलाप जारी रखेगा ;
- (iii) अनुमोदित संगठन बही-खाता रखेगा तथा उक्त अधिनियम की धारा 288 की उप धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उप धारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा ;
- (iv) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत सत्यापित विवरण की प्रति प्रस्तुत करेगा ।

2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :-

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त दान एवं प्रयुक्त राशि का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
- (घ) अपना अनुसंधान कार्यकलाप करना बंद कर देगा अथवा इसके अनुसंधान कार्यकलाप को जायज नहीं पाया जाएगा; अथवा
- (ङ) उक्त नियमावली के नियम 5ग और 5घ के साथ पठित उक्त अधिनियम की धारा 35 की उपधारा (1) के खंड (ii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा ।

[अधिसूचना सं. 76/2009/फा. सं. 203/6/2008-आ.क.नि.-II]

डा. संजय कुमार लाल, अवर सचिव

(Department of Revenue)

(Central Board of Direct Taxes)

New Delhi, the 5th October, 2009

S.O. 2822.— It is hereby notified for general information that the organization Talwar Research

Foundation, New Delhi has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 (said Act), read with rules 5C and 5D of the Income-tax Rules, 1962 (said Rules) from Assessment year 2004-05 onwards in the category of 'other institution' subject to the following conditions, namely :-

- (i) The sole objective of the approved 'scientific research association' shall be to undertake scientific research ;
- (ii) The approved organization shall carry out the scientific research activity by itself ;
- (iii) The approved organization shall maintain books of accounts and get such books audited by an accountant as defined in the explanation to sub-section (2) of Section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of Section 139 of the said Act ;
- (iv) The approved organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization.

- (a) fails to maintain books of accounts referred to in sub paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of donations received and amounts applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine ; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of Section 35 of the said Act read with rules 5C and 5D of the said Rules .

[Notification No. 76/2009/F.No.203/6/2008/ITA-II]

DR. SANJAY KUMAR LAL, Under Secy.

नई दिल्ली, 6 अक्टूबर, 2009

का.आ. 2823.-सर्वसाधारण की जानकारी के लिए एतद्वारा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग तथा 5ड के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनार्थ कर निर्धारण वर्ष

2009-10 के आगे संगठन ओरोविले फाउंडेशन ओरोविले, तमिलनाडु को निम्नलिखित शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में संलग्न "अन्य संस्था" की श्रेणी में अनुमोदित किया गया है, नामतः:-

- (i) अनुमोदित संगठन को प्रदत्त राशि का उपयोग वैज्ञानिक अनुसंधान के लिए किया जाएगा;
  - (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा इसके नामांकित छात्रों के माध्यम से व वैज्ञानिक अनुसंधान को जारी रखेगा;
  - (iii) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धनराशि के संबंध में अलग बही-खाता रखेगा अनुसंधान करने के लिए प्रयुक्त राशि को उसमें दर्शाएगा तथा उक्त अधिनियम की धारा 288 की उप धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से ऐसी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उप धारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा ;
  - (iv) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत सत्यापित विवरण की प्रति प्रस्तुत करेगा ।
2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :-
- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अलग लेखा बही नहीं रखेगा; अथवा
  - (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
  - (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त दान एवं प्रयुक्त राशि का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
  - (घ) अपना अनुसंधान कार्यकलाप करना बंद कर देगा अथवा इसके अनुसंधान कार्यकलाप को जायज नहीं पाया जाएगा; अथवा
  - (ङ) उक्त नियमावली के नियम 5ग और 5इ के साथ पठित उक्त अधिनियम की धारा 35 की उपधारा (1) के खंड (ii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा ।

[अधिसूचना सं. 77/2009/फा. सं. 203/68/2009-आ.क.नि.-II]

डा. संजय कुमार लाल, अवर सचिव

New Delhi, the 6th October, 2009

**S.O. 2823.**— It is hereby notified for general information that the organization Auroville Foundation, Auroville, Tamil Nadu has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 (said Act), read with rules 5C and 5E of the Income-tax Rules, 1962 (said Rules) from Assessment year 2009-2010 onwards in the category of 'other institution' partly engaged in research activities subject to the following conditions, namely :—

- (i) The sums paid to the approved organization shall be utilized for scientific research ;
- (ii) The approved organization shall carry out scientific research through its faculty members or its enrolled students;
- (iii) The approved organization shall maintain separate books of accounts in respect of the sums received by it for scientific research, reflect therein the amounts used for carrying out research, get such books audited by an accountant as defined in the explanation to sub-section (2) of Section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of Section 139 of the said Act ;
- (iv) The approved organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization :—

- (a) fails to maintain separate books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine ; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of Section 35 of the said Act read with rules 5C and 5E of the said Rules.

[Notification No. 77/2009/F. No. 203/68/2009/ITA-II]

DR. SANJAY KUMAR LAL, Under Secy.

## विदेश मंत्रालय

(सीपीवी प्रभाग)

नई दिल्ली, 1 अक्टूबर, 2009

का.आ. 2824.—राजनयिक और कौंसलीय ऑफिसर (शपथ और फीस) के अधिनियम, 1948 की धारा 2 के खंड (क) के अनुसरण में, केंद्र सरकार एतद्वारा श्री दर्शन कुमार, सहायक को 1-10-2009 से भारत के राजदूतावास, स्टोकहोम सहायक कौंसुलर अधिकारी के कर्तव्यों का पालन करने के लिए प्राधिकृत करती है।

[सं टी 4330/01/2006]

आर. के. पेरिन्डिया, अवर सचिव (कौंसुलर)

## MINISTRY OF EXTERNAL AFFAIRS

(C.P.V. Division)

New Delhi, the 1st October, 2009

S.O. 2824.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorise Shri Darshan Kumar, Assistant in the Embassy of India, Stockholm to perform the duties of Assistant Consular Officer with effect from 1st October, 2009.

[No. T. 4330/01/2006]

R. K. PERINDIA, Under Secy.

## मानव संसाधन विकास मंत्रालय

(उच्चतर शिक्षा विभाग)

(तकनीकी अनुभाग-1)

नई दिल्ली, 22 सितम्बर, 2009

का.आ. 2825.—प्रौद्योगिकी संस्थान अधिनियम, 1961 की धारा 35 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार एतद्वारा परिषद् (प्रौद्योगिकी संस्थान) नियमावली, 1962 में संशोधन हेतु निम्नलिखित नियम प्रारूपित करती है नामतः:

- (1) इन नियमों को परिषद् संशोधन नियमावली, 2009 (प्रौद्योगिकी संस्थान) के नाम से जाना जाएगा।
- (2) ये नियम राजकीय राजपत्र में प्रकाशन की तारीख से लागू होंगे।
- परिषद् (प्रौद्योगिकी संस्थान) नियम, 1962 (जिसे आगे से उक्त नियम कहा जाएगा) के नियम 4 में—
  - उप नियम (ड) के अंत में निम्नलिखित प्रावधान जोड़ा जाना चाहिए :—

“बशर्ते अध्यक्ष आपात स्थिति में और लिखित में रिकार्ड किए जाने वाले कारणों से बैठक से कम-से-कम तीन सप्ताह

पहले नोटिस जारी करने की आवश्यकता से छूट प्रदान कर सकता है”

- उप नियम (छ) के अंत में निम्नलिखित प्रावधान जोड़ा जाना चाहिए :—

“बशर्ते अध्यक्ष आपात स्थिति में और लिखित में रिकार्ड किए जाने वाले कारणों से बैठक से कम-से-कम दस दिन पहले कार्यसूची परिचालित करने की आवश्यकता से छूट प्रदान कर सकता है” :

- उक्त नियमों में नियम 6 के उप-नियम (1) को निम्नलिखित प्रकार से प्रतिस्थापित किया जाना चाहिए :—

“(i) परिषद् की बैठकों में भाग लेने के लिए की गई यात्रा हेतु परिषद् के पदेन सदस्य यात्रा भत्ता और दैनंदिन भत्ते के अधिकारी होंगे। ये भत्ते उन्हें उसी दर पर प्रदान किए जाएंगे जिस दर पर उनके मूल कार्यालय द्वारा उन्हें प्रदान किए जाते हैं :

बशर्ते कि परिषद् के सदस्य, पदेन सदस्य के अतिरिक्त उसी यात्रा भत्ता और दैनंदिन भत्ता के अधिकारी होंगे जो सचिव, भारत सरकार को प्रदान किए जाते हैं।”

[एफ. सं. 13-1/2008-टीएस-1(भाग)]

सीमा राज, निदेशक

टिप्पणी : प्रमुख नियम भारत के राजपत्र में अधिमूचना संख्या का.आ. 1793, दिनांक 9 जून, 1962 द्वारा प्रकाशित किए गए।

## MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of Higher Education)

(Technical Section-I)

New Delhi, the 22nd September, 2009

S.O. 2825.—In exercise of the powers conferred by Section 35 of the Institutes of Technology Act, 1961 (59 of 1961), the Central Government hereby makes the following rules further to amend the Council (Institutes of Technology) Rules, 1962, namely :—

- (1) These rules may be called the Council (Institutes of Technology) Amendment rules, 2009.
- (2) They shall come into force on the date of their publication in the Official Gazette.
- In the Council (Institutes of Technology) Rules, 1962 (hereinafter referred to as the said rules), in rule 4,—
  - in sub-rule (e), the following proviso shall be inserted at the end, namely :—

“Provided that the Chairman may, in an emergent situation, and for reasons to be recorded in writing,

dispense with the requirement of giving notice of at least three weeks before the meeting”;

- (ii) in sub-rule (g), the following proviso shall be inserted at the end, namely :—

“Provided that the Chairman may, in an emergent situation, and for reasons to be recorded in writing, dispense with the requirement of circulation of agenda at least ten days before the meeting”;

3. In rule 6, of the said rules, for sub-rule (1), the following sub-rule shall be substituted, namely :—

“(1) The ex-officio member of the council shall be entitled to the traveling allowances and daily allowances in respect of journey performed by him/her for attending the meetings of the Council at the rates as are admissible to him/her in the office which he/she holds by virtue of which he/she is member :

Provided that the members of the Council, other than ex-officio members shall be entitled to such traveling allowance and daily allowance as are admissible to the Secretary of the Government of India.”

Note : The principal rules were published in the Gazette of India, vide notification number S.O. 1793, dated the 9th June, 1962.

[F.No. 13-1/2008-TS.1(Pl.)]

SEEMA RAJ, Director

नई दिल्ली, 13 अक्टूबर, 2009

क्र.आ. 2826.—सार्वजनिक स्थान (अनधिकृत अधिभोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 में प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा श्री जय चन्द, सहायक रजिस्ट्रार (संपदा), दिल्ली विश्वविद्यालय, केन्द्र सरकार के राजपत्रित अधिकारी के रूप के सम्पदा अधिकारी होने के तहत उक्त अधिनियम के अन्तर्गत सम्पदा अधिकारों को नियुक्त करती है, जो दिल्ली विश्वविद्यालय के प्रशासनिक नियंत्रण के अंतर्गत सार्वजनिक स्थान के संबंध में दिल्ली में उसके क्षेत्राधिकार की स्थानीय सीमाओं के अंतर्गत उक्त अधिनियम के अंतर्गत या इसके द्वारा सम्पदा अधिकारी को सौंपे गए दायित्वों का निर्वाह करने और प्रदत्त शक्तियों का प्रयोग करेंगे।

[सं.एफ. 4-21/2009-डेस्क(यु)]

आर. डी. सहाय, निदेशक

New Delhi, the 13th October, 2009

S.O. 2826.— In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised

Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints Shri Jay Chanda, Assistant Registrar (Estates), University of Delhi, being an officer equivalent to the rank of a gazetted officer of the Central Government, as Estate Officer for the purposes of the said Act, who shall exercise the powers conferred, and perform the duties imposed, on the estate officer by or under the said Act within the local limits of his jurisdiction in Delhi in respect of the public premises under the administrative control of the University of Delhi.

[No. F. 4-21/2009-Desk(U)]

R. D. SAHAY, Director

स्वास्थ्य और परिवार कल्याण विभाग

(स्वास्थ्य और परिवार कल्याण विभाग)

नई दिल्ली, 7 अक्टूबर, 2009

क्र.आ. 2827.— केन्द्र सरकार भारतीय चिकित्सा परिषद् अधिनियम, 1956 (1956 का 102) की धारा 12 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय चिकित्सा परिषद् से परामर्श करने के बाद एतद्वारा उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अनुसूची में, शीर्षक “महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक” के अंतर्गत अंतिम प्रविष्टि के बाद निम्नलिखित अन्तः स्थापित किया जाएगा, अर्थात् :—

“महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक द्वारा प्रदत्त सभी स्वास्थ्यकेन्द्र चिकित्सा स्टाफों के रूप में और उचित शैक्षणिक पाठ्यक्रम मान्यता प्राप्त है जो पूर्व में मुंबई विश्वविद्यालय, पुणे विश्वविद्यालय, शिवाजी विश्वविद्यालय, डा. बाबा साहब अम्बेडकर मराठवाड़ा विश्वविद्यालय, स्वामी रामानन्द तीर्थ मराठवाड़ा विश्वविद्यालय, नान्देड, श्रीमती नारिबाई दामोदर त्राजूरसेट महिला विश्वविद्यालय, श्रीमती गाडगे बाबा अमरावती विश्वविद्यालय, आर टी एम विश्वविद्यालय और उत्तर महाराष्ट्र विश्वविद्यालय द्वारा प्रदान किए जाते थे।”

[सं. वी. 11015/2/2009-एम ई पी-1]

डा. सरत चौहान, निदेशक

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

New Delhi, the 07th October, 2009

S.O. 2827.— In exercise of the powers conferred by sub-section (2) of the Section 12 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely :—

In the said Schedule under the heading "Maharashtra University of Health Sciences, Nashik", after the last entry the following shall be inserted, namely :—

"All Postgraduate degrees MD/MS and super-speciality courses awarded by Maharashtra University of Health Sciences, Nashik are recognized which were earlier granted by Mumbai University, Pune University, Shivaji University, Dr. Baba Saheb Ambedkar Marathwada University, Swami Ramanand Tirath Marathwada University, Nanded, Smt. Nathibai Damodar Tgajerset Women's University, Smt. Gadge Baba Amrawati University, RTM University and North Maharashtra University".

[No. V.11015/2/2009-ME-P-I]

DR. SHARAT CHAUHAN, Director

नई दिल्ली, 12 अक्टूबर, 2009

का.आ. 2828.—जबकि जाफना विश्वविद्यालय, श्रीलंका द्वारा प्रदत्त आयुर्विज्ञान वाचस्पति की आयुर्विज्ञान अर्हता भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) के प्रयोजन के लिए उक्त अधिनियम की धारा 14 के अधीन मान्यता प्राप्त आयुर्विज्ञान अर्हता है।

जबकि जाफना विश्वविद्यालय, श्रीलंका द्वारा प्रदत्त आयुर्विज्ञान वाचस्पति की आयुर्विज्ञान अर्हता भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) के प्रयोजन के लिए एक मान्यता प्राप्त अर्हता है।

और जबकि डा. शोभना अनोजन, श्रीलंका राष्ट्रीय जो उक्त अर्हता रखते हैं, मधुमेह विभाग, चेन्नई से प्रशिक्षण के लिए संलग्न है और व्यक्तिगत लाभ के लिए नहीं।

अतः अब उक्त अधिनियम की धारा 14 की उपधारा (1) के खण्ड (ग) के अनुसरण में केंद्र सरकार एतद्वारा विनिर्दिष्ट करती है कि भारत में डा. शोभना अनोजन द्वारा आयुर्विज्ञान के व्यवसाय की अवधि :—

(क) एक वर्ष की अवधि अर्थात् 01-05-2009 से 01-05-2010 तक; अथवा

(ख) उस अवधि तक जिसके दौरान डा. शोभना अनोजन मधुमेह विभाग, चेन्नई से संलग्न हैं, जो भी लघुतर हो, परिसीमित होगी।

[फा. सं. वी. 11016/15/2009-एम ई (नीति-I)]

आर. शंकरन, अवर सचिव

New Delhi, the 12th October, 2009

S.O. 2828.—Whereas medical qualification Doctor of Medicine granted by University of Jaffna, Srilanka is Recognized medical qualification for the purpose of the

Indian Medical Council Act, 1956 (102 of 1956) under Section 14 of the said Act;

Whereas medical qualification Doctor of Medicine granted by University of Jaffna, Srilanka is a recognized medical qualification for the purpose of the Indian Medical Council Act, 1956 (102 of 1956).

And Whereas Dr. Shobana Anojan, Srilankan National, who possess the said qualification is attached to The Diabete Department, Chennai for the purpose of training and not for personal gain;

Now, therefore, in pursuance of clause (c) of the sub-section (1) of the Section 14 of the said Act, the Central Government hereby specifies that the period of practice of medicine by Dr. Shobana Anojan in India shall be limited to :—

(a) a period of One year i.e. from 01-05-2009 to 01-05-2010; or

(b) the period during which Dr. Shobana Anojan is attached to The Diabete Department, Chennai whichever is shorter.

[File No. V.11016/15/2009-ME (Policy-I)]

R. SANKARAN, Under Secy.

पोत परिवहन विभाग

नई दिल्ली, 7 अक्टूबर, 2009

का.आ. 2829.—दिनांक 3 जुलाई, 2009 और 31 जुलाई, 2009 की पहले की अधिसूचनाओं में आंशिक संशोधन करते हुए, केंद्र सरकार, एतद्वारा श्री अरविन्द कुमार, भारतीय आर्थिक सेवा, सदस्य (परिवहन अनुसंधान स्कंध), सड़क परिवहन और राजमार्ग मंत्रालय को दिनांक 15 मई, 2009 से 14 मई, 2011 तक दो वर्ष की आगे की अवधि के लिए या अगले आदेशों तक में से जो भी पहले हो तब तक के लिए अंशकालिक सदस्य, महापत्तन प्रशुल्क प्राधिकरण के रूप में अतिरिक्त कार्य संभालने हेतु नियुक्त करती है।

[फाइल सं. पी आर-14019/14/2009-पी.जी.]

राकेश मल्होत्रा, उप सचिव

#### MINISTRY OF SHIPPING

New Delhi, the 7th October, 2009

S.O. 2829.—In partial modification of the earlier Notifications dated 3rd July, 2009 and 31st July, 2009, the Central Government hereby appoints Shri Arvind Kumar, IES, Member (Transport Research Wing), Ministry of Road Transport and Highways to hold additional charge as Part-Time Member, Tariff Authority for Major Ports for a further period of two years from 15th May, 2009 to 14th May, 2011, or until further orders, whichever is earlier.

[No. PR-14019/14/2009-PG]

RAKESH MALHOTRA, Dy. Secy.



## उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

( उपभोक्ता मामले विभाग )

नई दिल्ली, 6 मई, 2009

का.आ. 2830.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल ( नीचे दी गई आकृति देखें ) बाट और माप मानक अधिनियम, 1976 ( 1976 का 60 ) तथा बाट और माप मानक ( मॉडलों का अनुमोदन ) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा ( 7 ) और उप-धारा ( 8 ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एवरी इंडिया लि., प्लॉट नं. 50-59, सेक्टर 25, बल्लभगढ़-121004 हरियाणा द्वारा विनिर्मित मध्यम यथार्थता ( यथार्थता वर्ग III ) वाले "E 12" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण ( वेब्रिज टाइप ) के मॉडल का, जिसके ब्रांड का नाम "एवरी" है ( जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है ) और जिसे अनुमोदन चिह्न आई एन डी/09/09/194 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है ।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण ( वेब्रिज टाइप ) है । इसकी अधिकतम क्षमता 40 टन है कि न्यूनतम क्षमता 200 कि. ग्रा. है । सत्यापन मापमान अंतराल ( ई ) 10 कि.ग्रा. है । इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है लिक्विड क्रिस्टल डिप्लेड ( एल सी डी ) तोलन परिणाम उपदर्शित करता है । उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है ।



स्टाम्प और सीलिंग के सत्यापन के लिए इंडीकेटर के किसी भी तरफ आउटर और इनर कवर काट कर दो छेद किए गए हैं और इन दोनों छेदों को लीड और वायर से कसा गया है । उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता । मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है ।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है । बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है ।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा ( 12 ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल ( एन ) सहित 5 टन से 200 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-3}$ ,  $2 \times 10^{-3}$ ,  $5 \times 10^{-3}$  के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं ।

[ फा. सं. डब्ल्यूएम-21 ( 82 ) / 2009 ]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

# MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

New Delhi, the 6th May, 2009

S.O. 2830.—Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weight and Measures Act, 1976 (60 of 1976) and the Standards of Weight and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over period of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Weighbridge Type) with digital indication of medium accuracy (Accuracy class-III) of series "E12" and with brand name "AVERY" (hereinafter referred to as the said model), manufactured by M/s. Avery India Ltd, Plot No. 50-59, Sector-25, Ballabgarh-121004, Haryana and which is assigned the approval mark IND/09/09/194;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Weighbridge type) with a maximum capacity of 40 tonne and minimum capacity of 200kg. The verification scale interval (e) is 10kg. It has a tare device with a 100 per cent subtractive retained tare effect. The liquid crystal diode (LCD) indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

Figure- 1 Model

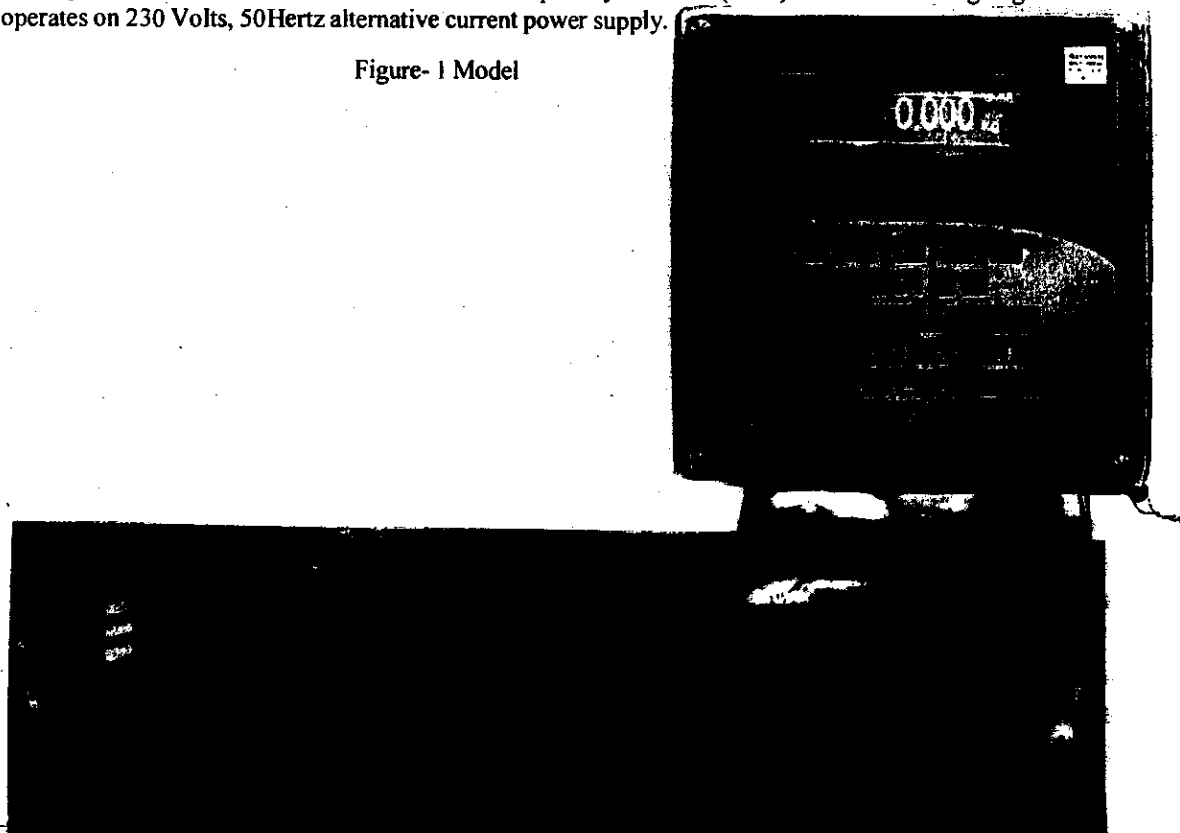


Figure-2 Sealing diagram of the sealing provision of the model

By the either side of the indicator two holes are made by cutting the outer and inner cover and fastened by the lead and wire through these two holes for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 200 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^4$ ,  $2 \times 10^4$  or  $5 \times 10^4$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(82)/2009]

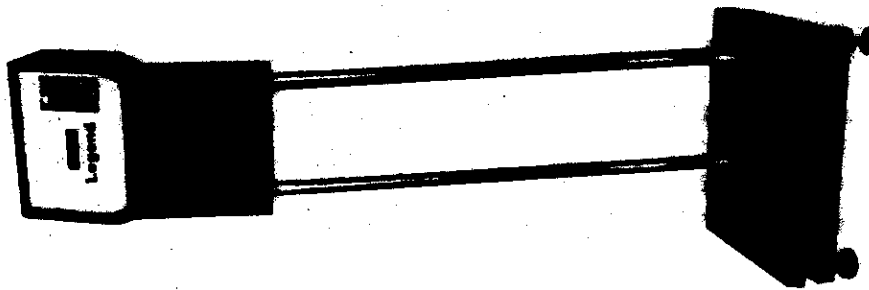
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 6 मई, 2009

का.आ. 2831.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स आभा टेक्नोलॉजी, न. 31ए, पी.टी. राजन सालाई, के. के. नगर, चेन्नै-600078 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "PS" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक कॉयन आपरेटिड व्यक्ति तोलन मशीन-टिकट प्रिंटिंग के सहित या उसके बिना) के मॉडल का, जिसके ब्रांड का नाम "LEGEND" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/100 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक कॉयन आपरेटिड व्यक्ति तोलन मशीन-टिकट प्रिंटिंग के सहित या उसके बिना) है। इसकी अधिकतम क्षमता 150 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्प और सीलिंग के सत्यापन के लिए इंडीकेटर के दायीं तरफ अपर कवर और साइड प्लेट में काट कर दो छेद किए गए हैं और इन दोनों छेदों को लीड वायर से कसा गया है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 100 कि. ग्रा. से 200 कि. ग्रा. तक की अधिकतम क्षमता की रेंज वाले हैं और "ई" मान  $1 \times 10^{-3}$ ,  $2 \times 10^{-3}$ ,  $5 \times 10^{-3}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (50)/2009]

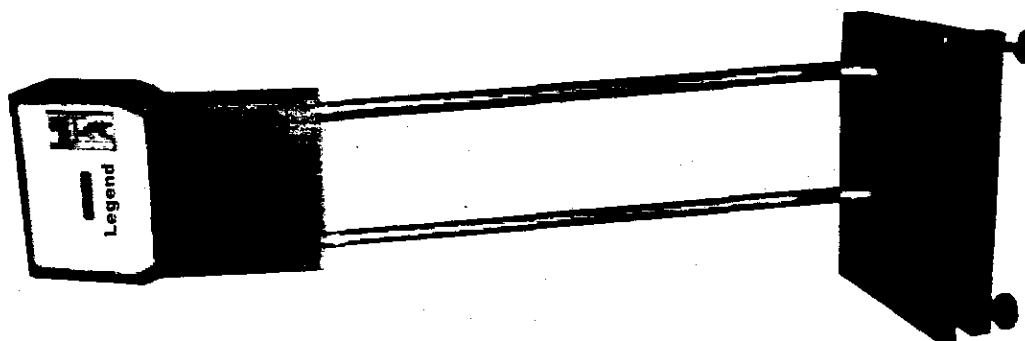
आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 6th May, 2009

**S.O. 2831.**— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Electronic Coin operated Person Weighing Machine-with or without ticket printing) with digital indication of medium accuracy (Accuracy class-III) of series "PS" and with brand name "LEGEND" (hereinafter referred to as the said model), manufactured by M/s. Abha Technologies, No. 31A, P. T. Rajan Salai, K. K. Nagar, Chennai-600078 which is assigned the approval mark IND/09/09/100;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Electronic Coin operated Person Weighing Machine-with or without ticket printing) with a maximum capacity of 150 kg. and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts, 50Hertz alternative current power supply



From the right side of the indicator two holes are made by cutting the upper cover and side plate and fastened by a leaded wire through these two holes for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the Model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity in the range of 100kg. to 200 kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(50)/2009]

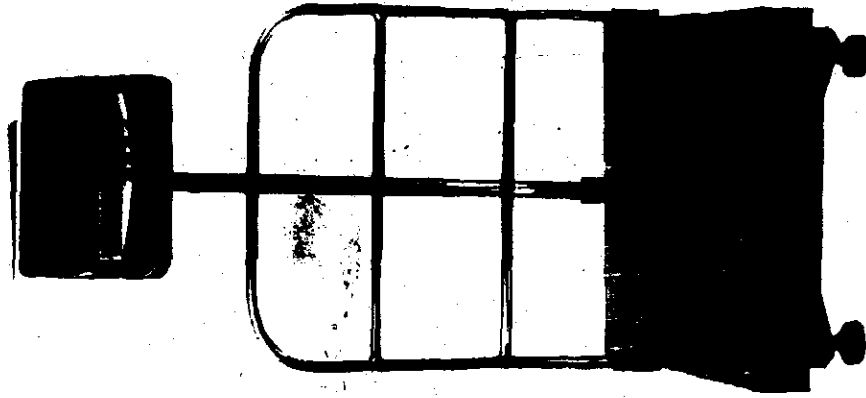
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 6 मई, 2009

का.आ. 2832.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम क्री धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स आमा टेक्नोलोजी, न. 31ए, पी.टी. राजन सालाई, के. के. नगर, चेन्नै-600078 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "पीएफ" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "LEGEND" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/101 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 4 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्प और सीलिंग के सत्यापन के लिए इंडीकेटर के दायीं तरफ अपर कवर और साइड प्लेट में काट कर दो छेद किए गए हैं और इन दोनों छेदों को लीड और वायर से कसा गया है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से अधिक और 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$ ,  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (50)/2009]

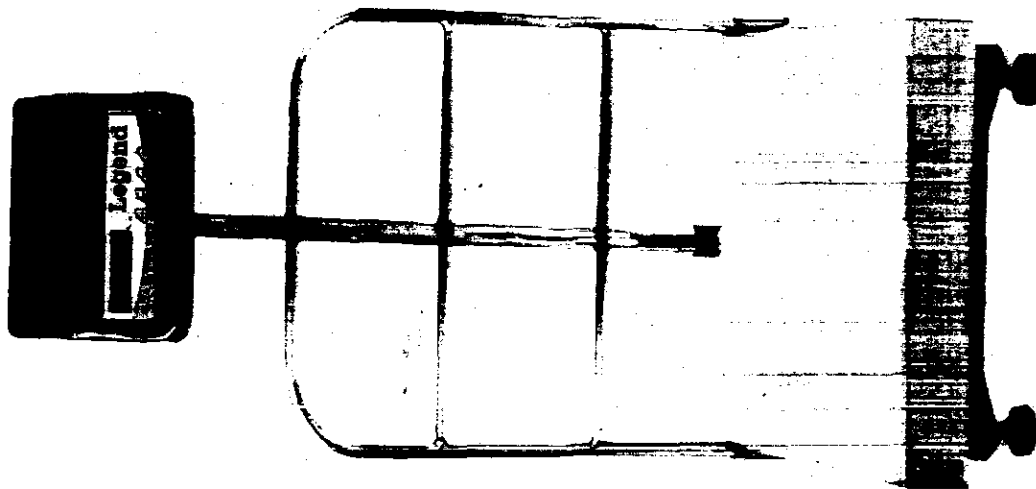
आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 6th May, 2009

S.O. 2832.— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weight and Measures Act, 1976 (60 of 1976) and the Standards of Weight and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of series "PF" and with brand name "LEGEND" (hereinafter referred to as the said model), manufactured by M/s. Abha Technologies, No. 31A, P. T. Rajan Salai, K. K. Nagar, Chennai-600078 and which is assigned the approval mark IND/09/09/101;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 kg and minimum capacity of 4 kg. The verification scale interval (e) is 200g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.



From the right side of the indicator two holes, are made by cutting the upper cover and side plate and fastened by a leaded wire through these two holes for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg and up to 5000 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(50)/2009]

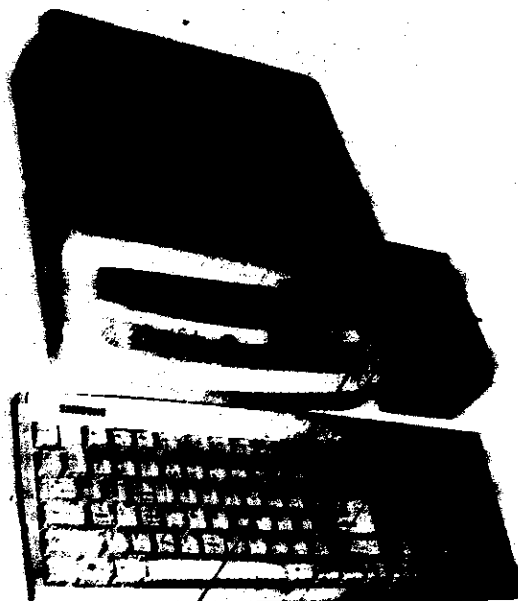
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 6 मई, 2009

क्र.आ. 2033.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स आभा टेक्नोलॉजी, न. 31ए, पी.टी. राजन सालाई, के. के. नगर, चेन्नै-600078 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "ई बी" शृंखला के अत्यन्त सूक्ष्म सहित, अत्यन्त सटीक तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "LEGEND" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/102 समनुदेशित किया गया है, अनुमोदन प्रदान करने का फैसला करती है।

उक्त मॉडल विद्युत गेज प्रकार का भार सेल आधारित अत्यन्त सटीक तोलन उपकरण (टेबल टॉप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक क्षमता आधेयतुलन प्रमाण है। प्रत्यक्ष उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदान पर कार्य करता है।



स्वल्प और सीलिंग के सम्बन्ध के लिए इंडिकेटर के दर्शक तारक अपर कवर और साइट प्लेट में क्लिक कर दो छेद किए गए हैं और इन दोनों छेदों को लीड और कवर से बंद किया गया है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्रत्यूची योजनाबद्ध दायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$ ,  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (50)/2009]

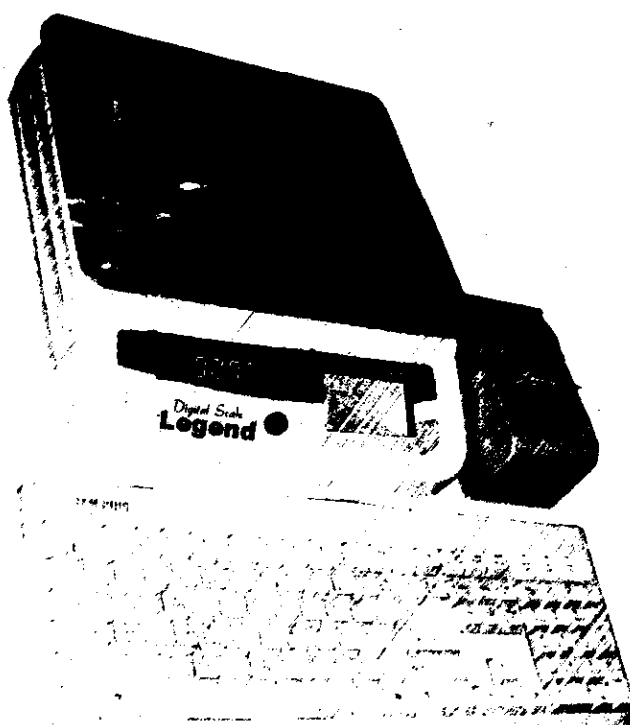
आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 6th May, 2009

**S.O. 2833.**— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weight and Measures Act, 1976 (60 of 1976) and the Standards of Weight and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Tabletop type) with digital indication of medium accuracy (Accuracy class-III) of series "EB" and with brand name "LEGEND" (hereinafter referred to as the said model), manufactured by M/s. Abha Technologies, No. 31A, P. T. Rajan Salai, K. K. Nagar, Chennai-600078 which is assigned the approval mark IND/09/09/102;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30 kg. and minimum capacity of 100 g. The verification scale interval (e) is 5g. It has billing machine with key board operation facility. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.



From the right side of the weighing scale two holes, are made by cutting the upper cover and bottom plate and fastened by a leaded wire through these two holes for receiving the verification stamp and seal. The weighing scale can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg. and with verification scale interval (n) in the range of 100 to 1,000 for 'e' value of 100 mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(50)/2009]

R. MATHURBOOTHAM, Director of Legal Metrology

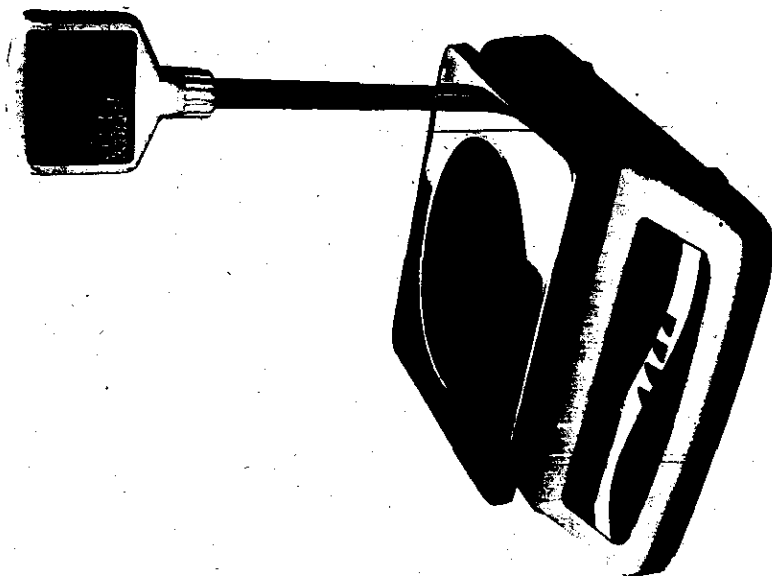


नई दिल्ली, 6 मई, 2009

का.आ. 2834.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स आभा टेक्नोलोजी, न. 31ए, पी.टी. राजन सालाई, के. के. नगर, चेन्नै-600078 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "टी टी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "LEGEND" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/103 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्प और सीलिंग के सत्यापन के लिए इंडीकेटर के दायीं तरफ अपर कवर और साइड प्लेट में काट कर दो छेद किए गए हैं और इन दोनों छेदों को लीड और वायर से कसा गया है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$ ,  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (50)/2009]

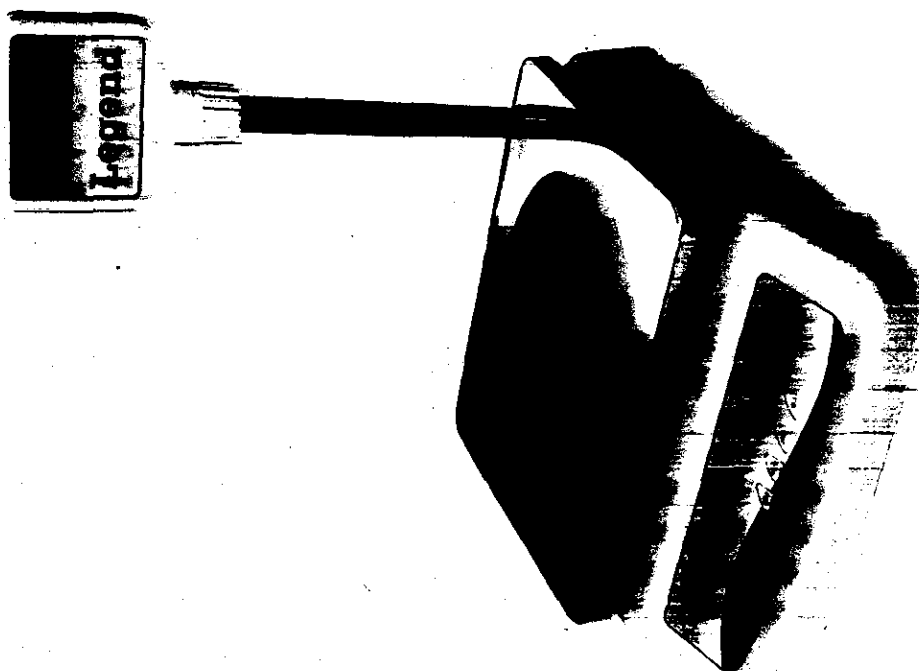
आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 6th May, 2009

S.O. 2834.— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over period of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Tabletop type) with digital indication of medium accuracy (Accuracy class-III) of series "TT" and with brand name "LEGEND" (hereinafter referred to as the said model), manufactured by M/s. Abha Technologies, No. 31A, P. T. Rajan Salai, K. K. Nagar, Chennai-600078 which is assigned the approval mark IND/09/09/103;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30 kg. and minimum capacity of 100 g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply;



From the right side of the weighing scale, two holes are made by cutting the upper cover and bottom plate and fastened by a leaded wire through these two holes for receiving the verification stamp and seal. The weighing scale cannot be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with minimum capacity upto 50kg. and with verification scale interval (e) in the range of 100 to 10,000 for reference values of 100 kg to 2 g and with verification scale interval (e) in the range of 500 to 10,000 for reference values of 5 g or more and with reference values of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[E.No. WM-21(50)/2009]

R. MATHURBOOTHAM, Director of Legal Metrology

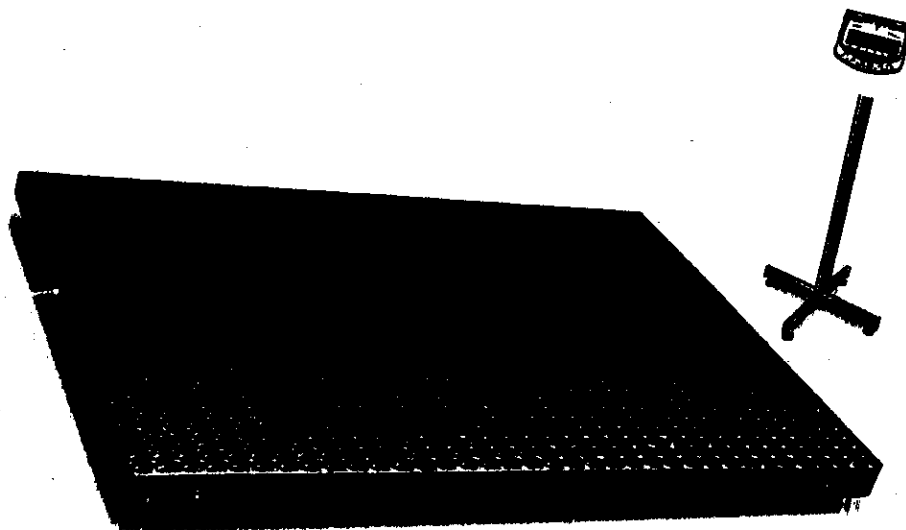
आर. माधुसूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

**S.O. 2835.**— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of series "PLAX" and with brand name "SMART IMPACT" (hereinafter referred to as the said model), manufactured by M/s. Axis Electronics, G-72, Selaqui Industrial Area, Dehradun-248197, Uttarakhand and which is assigned the approval mark IND/09/09/06;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 kg. and minimum capacity of 4 kg. The verification scale interval (e) is 200g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts, 50Hertz alternative current power supply.



The indicator consists of three parts, that is the top cover, bottom cover and the pcb protection cover. The cover of the scale is moulded with a long screw which has a hole towards the top end. The electronic is fitted in the top cover of the pcb protection cover is fitted, the screw moulded in the top cover comes out of the pcb protection plate, once fitted, the threaded hole which is coming out of the pcb protection plate is fastened with the help of a nut. A leaded wire is inserted and a loop is made to prevent the opening of the instrument without breaking of the seal.

The instrument has external access to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. and upto 5000 kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

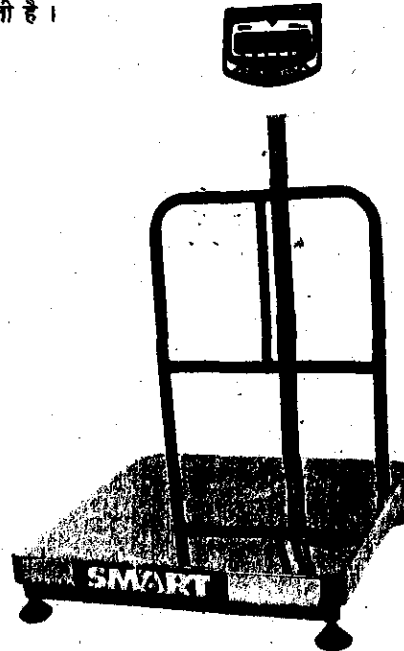
[F. No. WM-21(289)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2836.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एक्सिस इलेक्ट्रोनिक्स, जी-72, सेलाकी इंडस्ट्रियल एरिया, देहरादून-248197, उत्तराखण्ड द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग II) वाले "PLAX" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "SMART IMPACT" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/07 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 600 कि.ग्रा. है और न्यूनतम क्षमता 2.5 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 50 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

इंडीकेटर तीन हिस्सों से बना है, ऊपरी कवर, तल कवर और प्रिंटेड सर्किट बोर्ड प्रोटेक्शन कवर। स्केल का कवर एक लम्बे पेंच, जिसके उपरी सिरे पर एक छेद है, के सांचे में ढला है। प्रिंटेड सर्किट बोर्ड प्रोटेक्शन के ऊपरी कवर पर इलेक्ट्रॉनिक लगाया गया है। एक बार लगाने पर, प्रिंटेड सर्किट बोर्ड प्रोटेक्शन प्लेट में से ऊपरी कवर में ढाला गया पेंच को चूड़ीदार छेद में से निकलने पर प्रिंटेड सर्किट बोर्ड प्रोटेक्शन प्लेट पर नट की सहायता से कस दिया जाता है। सीसे की तार धुसा कर फंदा बनाया जाता है ताकि सील तोड़े बिना उपकरण को खोला न जा सके।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से अधिक और 5,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1x10<sup>3</sup>, 2x10<sup>3</sup>, 5x10<sup>3</sup>, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

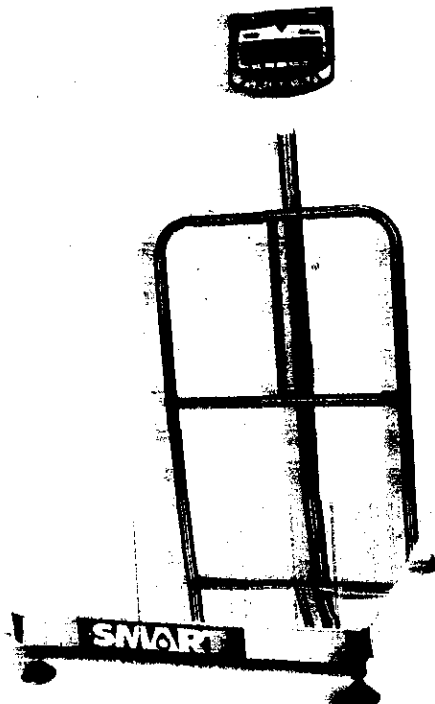
[फा. सं. डब्ल्यू एम-21 (289)/2008]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

S.O. 2836.— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-II) of series "PLAX" and with brand name "SMART IMPACT" (hereinafter referred to as the said model), manufactured by M/s. Axis Electronics, G-72, Selaqui Industrial Area, Dehradun-248197, Uttarakhand and which is assigned the approval mark IND/09/09/07;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 600 kg. and minimum capacity of 2.5 kg. The verification scale interval (e) is 50g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

The indicator consists of three parts, that is the top cover, bottom cover and the pcb protection cover. The cover of the scale is moulded with a long screw which has a hole towards the top end. The electronic is fitted in the top cover of the pcb protection cover is fitted, the screw moulded in the top cover comes out of the pcb protection plate, once fitted, the threaded hole which is coming out of the pcb protection plate is fastened with the help of a nut. A loaded wire is inserted and a loop is made to prevent the opening of the instrument without breaking of the seal.

The instrument has external access to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. and upto 5000 kg. with verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(289)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली/25 अक्टूबर 2009

क्र.आ. 2837.— केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाप्त हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) विनियम, 1988 के अन्तर्गत के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एक्सिस इलेक्ट्रॉनिक्स, जी-72, सेलाकी इंडस्ट्रियल एरिया, देहरादून-248197, उत्तराखण्ड द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "HACS" मॉडल को अंशक स्वीकृत, अर्थात् सीलन उपकरण (हैमिंग टाइप) को मॉडल का, जिसके ब्रांड का नाम "SMART IMPACT" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन विड आई एन डी/09/09/08 समनुदेशित किया गया है, अनुमोदन प्रदान करने का फैसला करती है।



उक्त मॉडल किट का गेज प्रकार का भार सेल आधारित अत्यधिक सटीक तोलन उपकरण (हैमिंग टाइप) है। इसकी अधिकतम क्षमता 150 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रमाणित भारों का प्रयोग करके अत्यधिक सटीकता प्राप्त की जा सकती है। प्रमाणित भारों का उपयोग (एन ई डी) प्रदर्श तोलन यंत्रों में उपयुक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रमाणित तापमान विस्तार प्रदान करने में सक्षम है।

स्केल को दो कवर हैं जो एक दूसरे से इस प्रकार जुड़े हैं कि वे तौलन के दौरान कवरों को आसानी से खोल सकते हैं और तौलन के अन्त में एक दूसरे से जुड़े रहें। इससे खोले जाने से रोकने के लिए यंत्र पर लॉक हैं। सील को तोड़े बिना उपकरण को खोले जाने से रोकने के लिए स्केल के फ्रंट कवर और पिछले कवर में छेद हैं। लॉक तार को इन दो छेदों में से निकाल कर कंड्यूट और लूप बनाया जाता है। सील, कवरों को खोले जाने से रोकने के लिए फ्रंट और पिछले कवर को एक साथ रखती है और उपकरण बाक्स के अन्दर तक पहुँच को रोकती है।

उपकरण में बाहरी कॅलिब्रेशन तक पहुँच की सुविधा है। बाहरी कॅलिब्रेशन तक पहुँच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है। मॉडल को सीलबंद करने के उपकरण का एक प्रकृपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल को अनुमोदन के इस प्रमाणपत्र के अन्तर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी मूखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 500 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$ ,  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

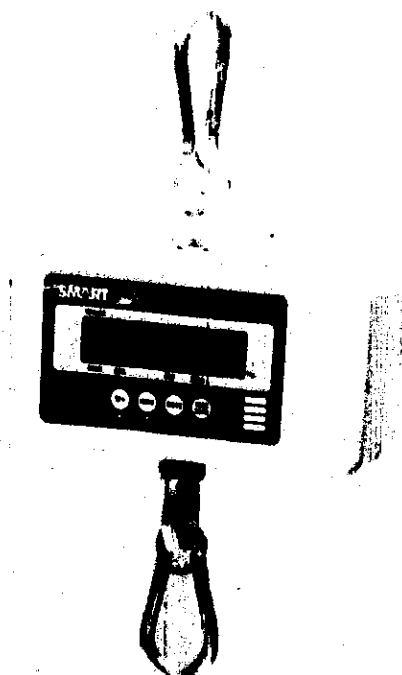
[फा. सं. डब्ल्यूएम-21 (289)/2008]

आर. माधुरधाम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

**S.O. 2837.**— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over period of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Hanging type) with digital indication of medium accuracy (Accuracy class-III) of series "HAX" and with brand name "SMART IMPACT" (hereinafter referred to as the said model), manufactured by M/s. Axis Electronics, G-72, Selaqui Industrial Area, Dehradun-248197, Uttarakhand and which is assigned the approval mark IND/09/09/08



The said model is a strain gauge type load cell based non-automatic weighing instrument (Hanging type) with a maximum capacity of 150 kg and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

The scale has 2 covers which snap on each other form a lock. The covers can not be easily opened when they are snapped with each other as there are 8 locks protecting it from opening. There is a hole in front cover and also a hole in the rear cover of the scale. A leaded wire is inserted in the two holes forming a conduit and a loop is made to prevent the opening of the instrument without breaking of the seal. The seal prevents opening of the covers as it holds the front and the rear cover together and hence preventing access to the inside of the instrument box.

The instrument has external access to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 500kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(289)/2008]

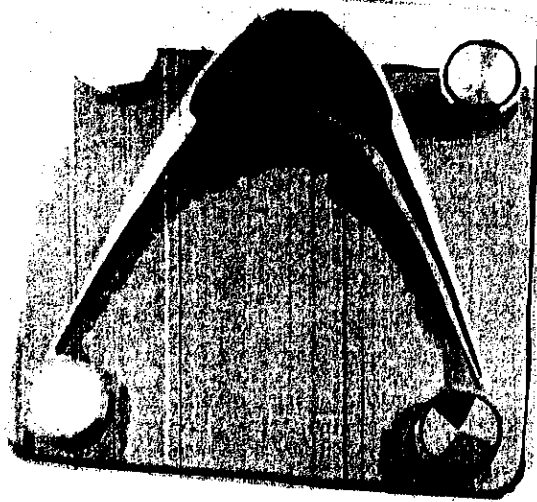
R. MATHURBOOTHAM, Director of Legal Metrology



नई दिल्ली, 26 अगस्त, 2009

का. आ. 2838.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एक्सिस इलेक्ट्रॉनिक्स, जी-72 सेलाकी इंडस्ट्रियल एरिया, देहरादून-248197, उत्तराखण्ड द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "MAX" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (व्यक्ति तोलन मशीन) के मॉडल का, जिसके ब्रांड का नाम "SMART IMPACT" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/09 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (व्यक्ति तोलन मशीन) है। इसकी अधिकतम क्षमता 150 कि.ग्रा. है कि न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल सी डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

इलेक्ट्रॉनिक के बेस कवर से बाहर निकले कब्जे में लीड तार डाल कर फन्दा बनाया जाता है, जो सील को तोड़े बिना उपकरण को खोले जाने से रोकता है। ऊपरी और पीवीसी प्रोटेक्शन कवर को आपास में जोड़ती सील, कवर को खोलने से और उपकरण बाक्स की भीतरी पहुंच में जाने से रोकती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 120 कि.ग्रा. से 200 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$ ,  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(289)/2008]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

**S.O. 2838.**— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over period of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Person Weighing Machine) with digital indication of medium accuracy (Accuracy class-III) of series "MAX" and with brand name "SMART IMPACT" (hereinafter referred to as the said model), manufactured by M/s. Axis Electronics, G-72, Selaqui Industrial Area, Dehradun-248197, Uttarakhand and which is assigned the approval mark IND/09/09/09;



Figure-2 Sealing diagram of the sealing provision of the model

The said model is a strain gauge type load cell based non-automatic weighing instrument (Person Weighing Machine) with a maximum capacity of 150 kg and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with a 100 percent subtractive retained tare effect. The Liquid Crystal Diode (LCD) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

The base cover of the electronic has a hing coming out with where a leaded wire is inserted and a loop is made to prevent the opening of the instrument without breaking of the seal. The seal prevents opening of the covers as it holds the top and the PCB-protection cover together and hence preventing access to electronic of the inside of the instruments box. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity in the range of 120 kg, to 200 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(209)/2008]

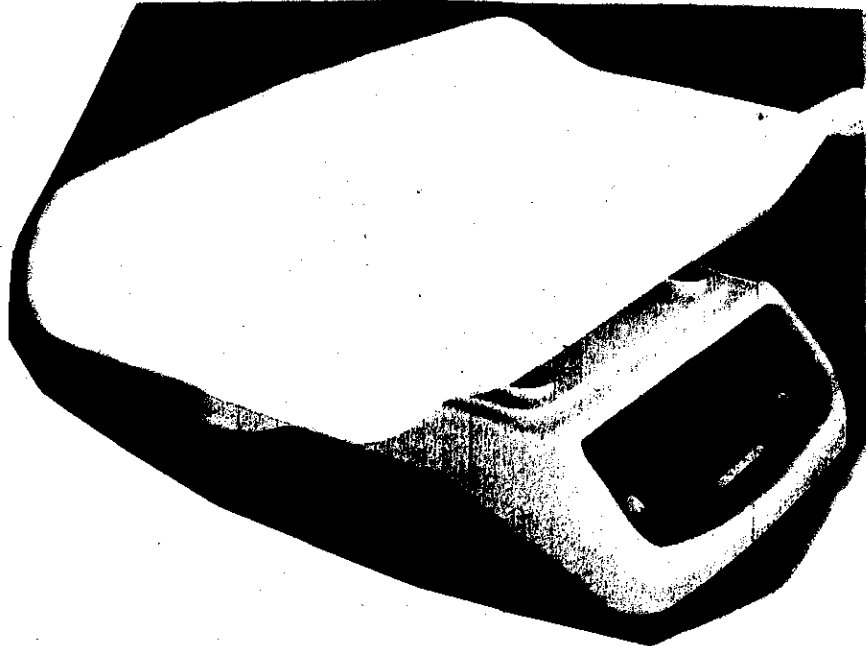
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

का. आ. 2839.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एक्सिस इलेक्ट्रॉनिक्स, जी-72 सेलाकी इंडस्ट्रियल एरिया, देहरादून-248197, उत्तराखण्ड द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "BAX" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (शिशु तोलन मशीन) के मॉडल का, जिसके ब्रांड का नाम "SMART IMPACT" है (जिसे इसमें इसको पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/10 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विद्युत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (शिशु तोलन मशीन) है। इसकी अधिकतम क्षमता 20 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तनात्मक धारित आधेयतुलन प्रमाण है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्कल का ऊपरी कवर एक आधार कब्जे से जुड़ा है, जो बाक्स को साथ जोड़ने से तल आधार से बाहर निकलता है। इसमें एक लीड तार डाल कर फन्दा बनाया जाता है, जो सील को तोड़ने बिना उपकरण को खोले जाने से रोकता है। ऊपरी और तल कवर को आपस में जोड़ती सील, कवर को खेलने से और उपकरण बाक्स की भीतरी पहुंच में जाने से रोकती है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है। मॉडल को सलीबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कामगारालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्राम तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^3$ ,  $2 \times 10^3$ ,  $5 \times 10^3$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (289)/2008]

आर. माधुसूदन, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

**S.O. 2839.**— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Baby Weighing Machine) with digital indication of medium accuracy (Accuracy class-III) of series "BAX" and with brand name "SMART IMPACT" (hereinafter referred to as the said model), manufactured by M/s. Axis Electronics, G-72, Selaqui Industrial Area, Dehradun-248197, Uttarakhand and which is assigned the approval mark IND/09/09/10;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Baby Weighing Machine) with a maximum capacity of 20 kg and minimum capacity of 100 g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) Display indicates the weighing results. The instrument operates on 230 Volts, 50Hertz alternative current power supply.



Figure-2 Sealing diagram of the sealing provision of the model

The Top cover of the scale is fitted with a hinge mounting which comes out of the bottom base when the box is fitted together. A leaded wire is inserted and a loop is made to prevent the opening of the instrument without breaking of the seal. The seal prevents opening of the covers as it holds the top and the bottom cover together and hence preventing access to the inside of the instrument box.

The instrument has external access to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg, with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g. or more and with 'e' value of  $1 \times 10^k$ ,  $1 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

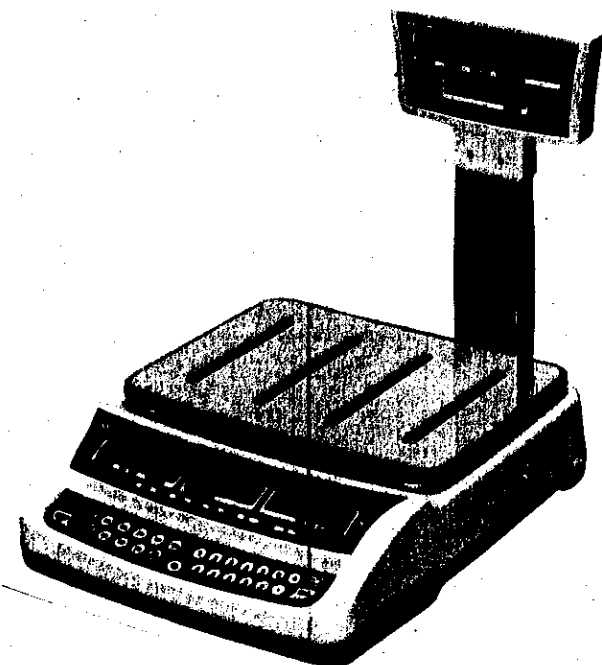
[F.No. WM-21(289)/2008]  
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

का. आ. 2840.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एक्सिस इलेक्ट्रॉनिक्स, जी-72 सेलाकी इंडस्ट्रियल एरिया, देहरादून-248197, उत्तराखण्ड द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "PAX" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "SMART IMPACT" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/11 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टाप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 15 कि.ग्रा. है और न्यूनतम क्षमता 40 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्केल का ऊपरी कवर एक आधार कब्जे से जुड़ा है, जो बाक्स को साथ जोड़ने से तल आधार से बाहर निकलता है। इसमें एक लीड तार डाल कर फन्दा बनाया जाता है, जो सील को तोड़े बिना उपकरण को खोले जाने से रोकता है। ऊपरी और तल कवर को आपस में जोड़ती सील, कवर को खोलने से और उपकरण बाक्स की भीतरी पहुंच में जाने से रोकती है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्राम तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$  और  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (289)/2008]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

**S.O. 2840.**— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over period of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top Type) with digital indication of medium accuracy (Accuracy class-III) of series "PAX" and with brand name "SMART IMPACT" (hereinafter referred to as the said model), manufactured by M/s. Axis Electronics, G-72, Selaqui Industrial Area, Dehradun-248197, Uttarakhand which is assigned the approval mark IND/09/09/11;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 15 kg. and minimum capacity of 40 g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

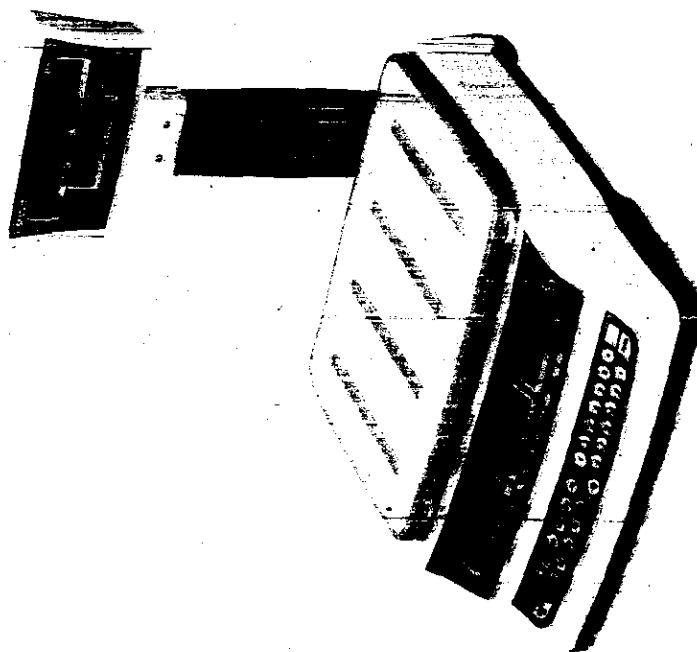


Figure-2 Schematic diagram of the sealing provision of the model

The Top cover of the scale is fitted with a hinge mounting which comes out of the bottom base when the box is fitted together. A leaded wire is inserted and a loop is made to prevent the opening of the instrument without breaking of the seal. The seal prevents opening of the covers as it holds the top and the bottom cover together and hence preventing access to the inside of the instrument box.

The Instrument has external access to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg, with verification scale interval (n) in the range of 100 to 10000 for 'e' value of 100mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(289)/2008]

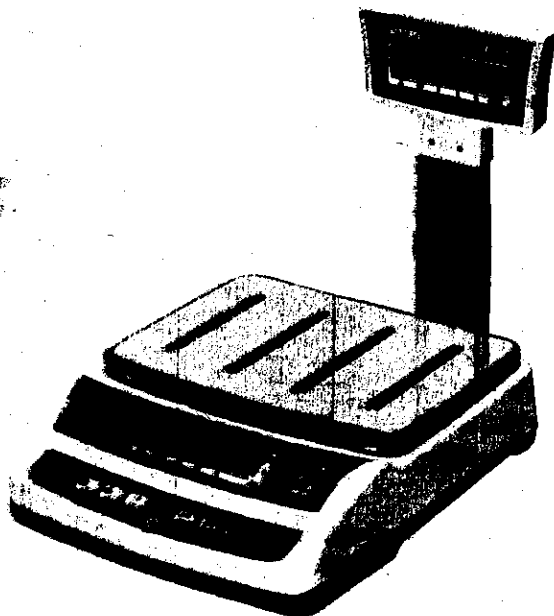
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

क्रा. आ. 2009।—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (सीधे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एक्सिस इलेक्ट्रॉनिक्स, जौ-72, सेलाकी इंडस्ट्रियल एरिया, देहरादून-248197, उत्तराखण्ड द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "TAX" मॉडल के अंकक सूचक सहित, अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "SMART IMPACT" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/12 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विद्युत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। स्थापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्त है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती द्वारा विद्युत प्रदाय पर कार्य करता है।



स्केल का ऊपरी कवर एक आधार कवरे से जुड़ा है, जो बाक्स को साथ जोड़ने से तल आधार से बाहर निकलता है। इसमें एक लीड तार डाल कर फन्दा बनाया जाता है, जो स्केल को छोड़े बिना उपकरण को खोले जाने से रोकता है। ऊपरी और तल कवर को आपस में जोड़ती सील, कवर को खोलने से और उपकरण बाक्स की भीतरी पहुंच में जाने से रोकती है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाचित्र डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी मॉडल के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्राम तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में स्थापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में स्थापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  और  $5 \times 10^{-6}$  के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (289)/2008]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

**S.O. 2841.**— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over period of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of medium accuracy (Accuracy class-III) of series "TAX" and with brand name "SMART IMPACT" (hereinafter referred to as the said model), manufactured by M/s. Axis Electronics, G-72, Selaqui Industrial Area, Dehradun-248 197, Uttarakhand and which is assigned the approval mark IND/09/09/12;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop Type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

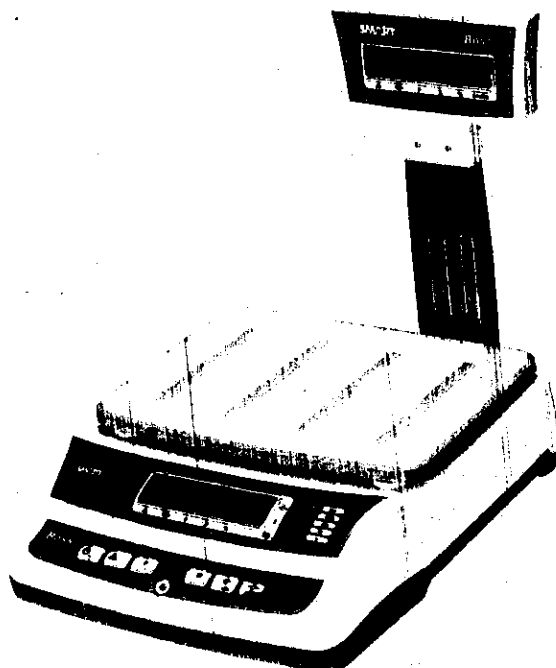


Figure-2 Sealing diagram of sealing provision of the Model

The Top cover of the scale is fitted with a hinge mounting which comes out of the bottom base when the box is fitted together. A leaded wire is inserted and a loop is made to prevent the opening of the instrument without breaking of the seal. The seal prevents opening of the covers as it holds the top and the bottom cover together and hence preventing access to the inside of the instrument box.

The Instrument has external access to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg, with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for (e) value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(289)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

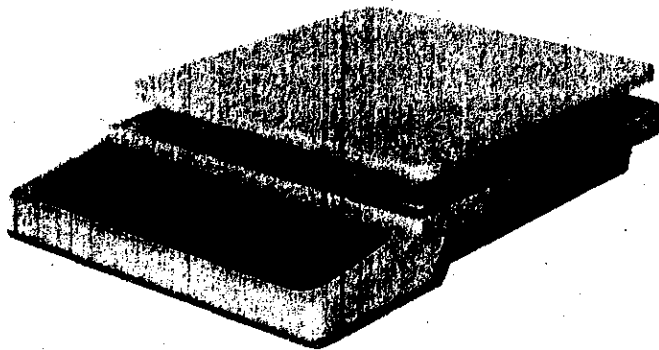


नई दिल्ली, 26 अगस्त, 2009

का. आ. 2842.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए, मैसर्स एक्सिस इलेक्ट्रॉनिक्स, जी-72, सेलाकी इंडस्ट्रियल एरिया, देहरादून-248197, उत्तराखण्ड द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "KAX" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (किचन स्केल) के मॉडल का, जिसके ब्रांड का नाम "SMART IMPACT" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/13 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (किचन स्केल) है। इसकी अधिकतम क्षमता 6 कि.ग्रा. है और न्यूनतम क्षमता 20 ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल-डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्केल के टॉप कवर में एक छेद है और एक छेद बॉटम बेस में है। इसमें एक लीड तार डाल कर फन्दा बनाया जाता है, जो सील को तोड़े बिना उपकरण को खोले जाने से रोकता है। ऊपरी और तल कवर को आपस में जोड़ती सील, कवर को खोलने से और उपकरण बाक्स की भीतरी पहुँच में जाने से रोकती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्राम तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$ ,  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (289)/2008]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

3633/01/09-5-

New Delhi, the 26th August, 2009

**S.O. 2842.**— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Kitchen Scale) with digital indication of medium accuracy (Accuracy class-III) of series "KAX" and with brand name "SMART IMPACT" (hereinafter referred to as the said model), manufactured by M/s. Axis Electronics, G-72, Selaqui Industrial Area, Dehradun-248197, Uttarakhand and which is assigned the approval mark IND/09/09/13;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Kitchen Scale) with a maximum capacity of 6kg. and minimum capacity of 20g. The verification scale interval (e) is 1g. It has a tare device with a 100 percent subtractive retained tare effect. The Liquid Crystal Diode Display (LCD) indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

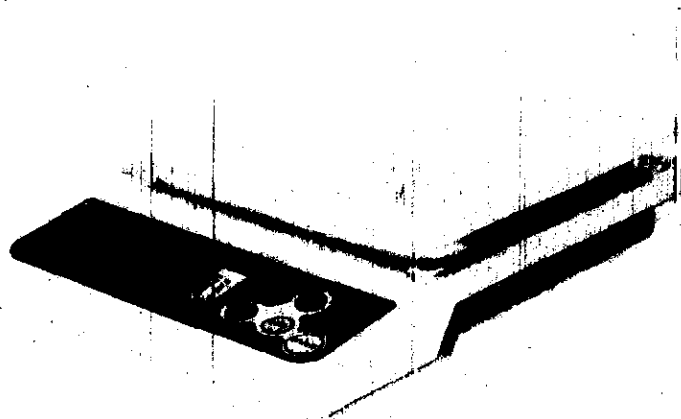


Figure-2 Sealing diagram of the sealing provision of the Model

There is a hole in the top cover and also a hole in the bottom base of the scale. A leaded wire is inserted in the two holes and a loop is made to prevent the opening of the instrument without breaking of the seal. The seal prevents opening of the covers as it holds the top and the bottom cover together and hence preventing access to the inside of the instrument box. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg, with verification scale interval (n) in the range of 100 to 10000 for 'e' value of 100mg. to 2g. and verification scale interval (n) in the range of 500 to 10,000 for (e) value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(289)/2008]

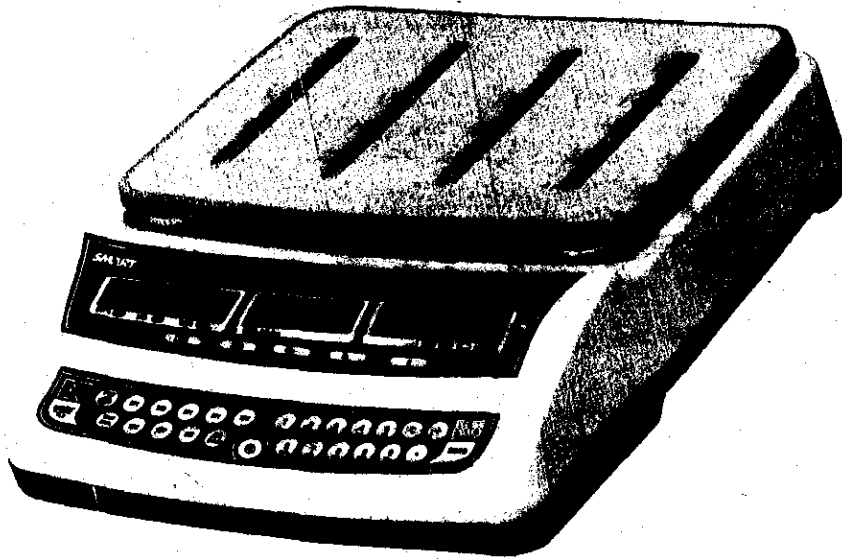
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

का. आ. 2843.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एक्सिस इलेक्ट्रोनिक्स, जी-72, सेलाकी इंडस्ट्रियल एरिया, देहरादून-248197, उत्तराखण्ड द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "CAX" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "SMART IMPACT" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/14 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टाप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्केल का ऊपरी कवर एक आधार कब्जे से जुड़ा है, जो बाक्स को साथ जोड़ने से तल आधार से बाहर निकलता है। इसमें एक लीड तार डाल कर फन्दा बनाया जाता है, जो सील को तोड़े बिना उपकरण को खोले जाने से रोकता है। ऊपरी और तल कवर को आपसे में जोड़ती सील, कवर को खोलने से और उपकरण बाक्स की भीतरी पहुंच में जाने से रोकती है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है। मॉडल को सल्लेबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, निर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$ ,  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (289)/2008]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

**S.O. 2843.**— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of medium accuracy (Accuracy class-II) of series "CAX" and with brand name "SMART IMPACT" (hereinafter referred to as the said model), manufactured by M/s. Axis Electronics, G-72, Selaqui Industrial Area, Dehradun-248197, Uttarakhand and which is assigned the approval mark IND/09/09/14;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

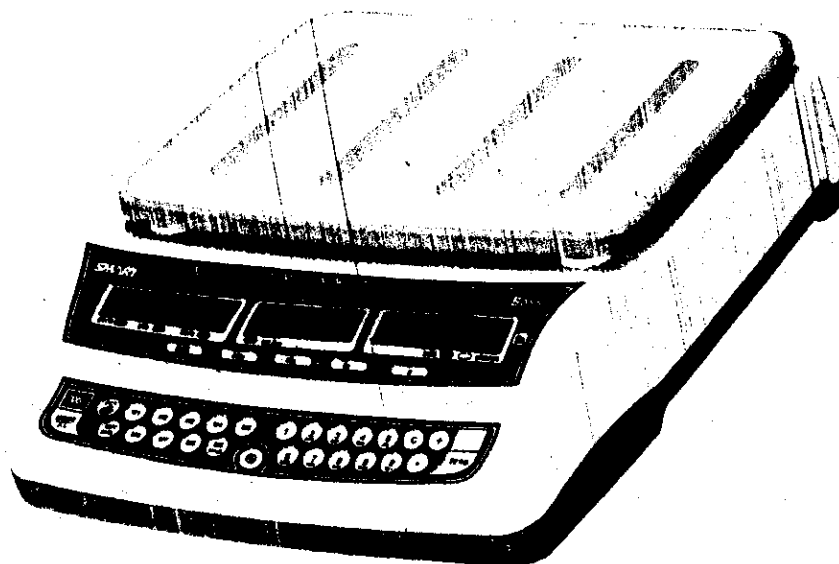


Figure-2 Schematic diagram of sealing provision of the model

The Top cover of the scale is fitted with a hinge mounting which comes out of the bottom base when the box is fitted together. A leaded wire is inserted and a loop is made to prevent the opening of the instrument without breaking of the seal. The seal prevents opening of the covers as it holds the top and the bottom cover together and hence preventing access to the inside of the instrument box.

The Instrument has external access to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg, with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg to 50mg. and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(289)/2008]

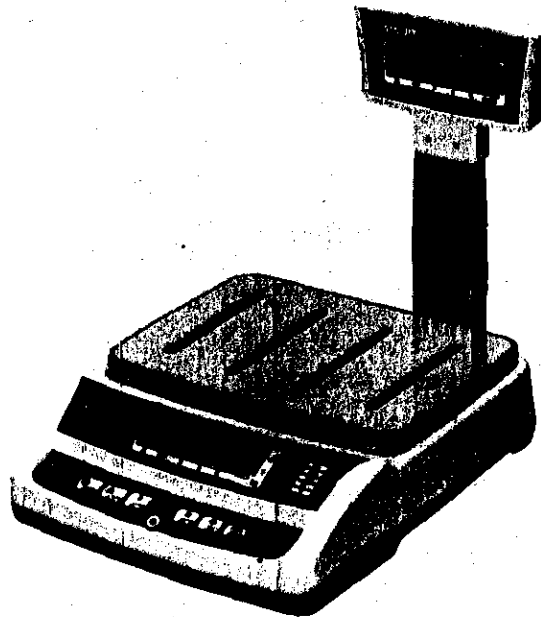
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

का. आ. 2844.—केन्द्रीय सरकार का, विहिते प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एक्सिस इलेक्ट्रॉनिक्स, जी-72, सेलाकी इंडस्ट्रियल एरिया, देहरादून-248197, उत्तराखण्ड द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "TAX" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "SMART IMPACT" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/15 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है कि न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्केल का ऊपरी कवर एक आधार कब्जे से जुड़ा है, जो बाक्स को साथ जोड़ने से तल आधार से बाहर निकलता है। इसमें एक लीड तार डाल कर फन्दा बनाया जाता है, जो सील को तोड़े बिना उपकरण को खोले जाने से रोकता है। ऊपरी और तल कवर को आपस में जोड़ती सील, कवर को खोलने से और उपकरण बाक्स की भीतरी पहुंच में जाने से रोकती है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है। माडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मॉक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$ ,  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (289)/2008]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

**S.O. 2844.**— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of high accuracy (Accuracy class-II) of series "TAX" and with brand name "SMART IMPACT" (hereinafter referred to as the said Model), manufactured by M/s. Axis Electronics, G-72, Selaqui Industrial Area, Dehradun-248197, Uttarakhand and which is assigned the approval mark IND/09/09/15;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top Type) with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

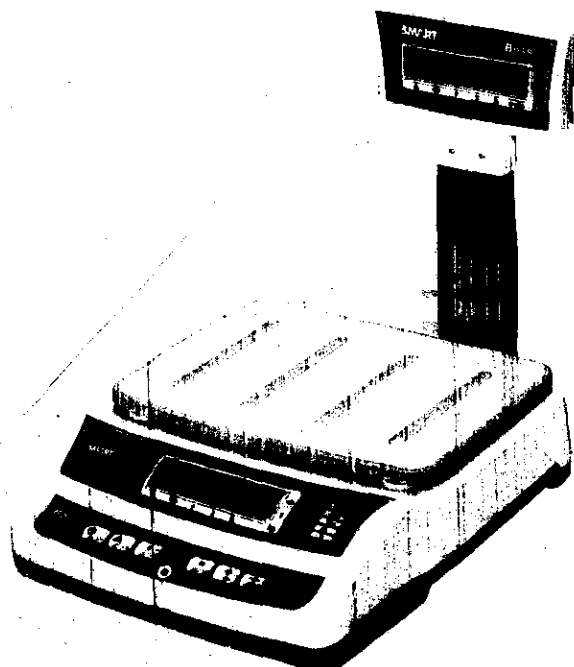


Figure-2 Sealing diagram of the sealing provision of the Model.

The top cover of the scale is fitted with a hinge mounting which comes out of the bottom base when the box is fitted together. A leaded wire is inserted and a loop is made to prevent the opening of the instrument without breaking of the seal. The seal prevents opening of the covers as it holds the top and the bottom cover together and hence preventing access to the inside of the instrument box.

The Instrument has external access to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration. A typical schematic diagram of sealing provision of the Model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg, with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg to 50mg and with verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No. WM-21(289)/2008]

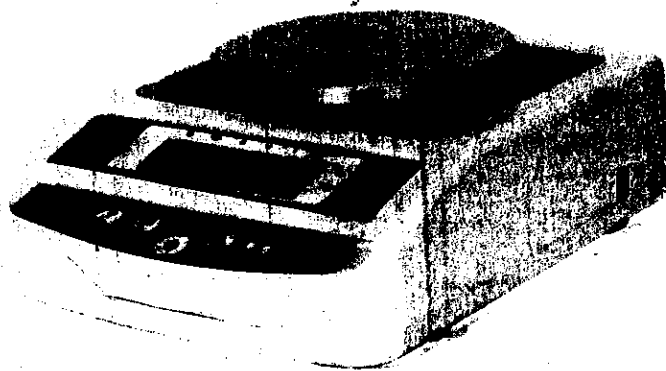
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

का. आ. 2845.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एक्सिस इलेक्ट्रोनिक्स, जी-72 सेलाकी इंडस्ट्रियल एरिया, देहरादून-248197, उत्तराखण्ड द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग II) वाले "JAX" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "SMART IMPACT" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/16 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) है। इसकी अधिकतम क्षमता 300 ग्रा. है और न्यूनतम क्षमता 200 मि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्केल के टॉप कवर पर एक छेद है और एक छेद बॉटम बेस में भी है। उन दोनों छेदों में एक लीड तार डाल कर फन्दा बनाया जाता है, जो सील को तोड़े बिना उपकरण को खोलने जाने से रोकता है। ऊपरी और तल कवर को आपस में जोड़ती सील, कवर को खोलने से और उपकरण बाक्स की भीतरी पहुंच में जाने से रोकती है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" माप  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$ ,  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (289)/2008]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

S.O. 2845.— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table Top type) with digital indication of medium accuracy (Accuracy class-II) of series "JAX" and with brand name "SMART IMPACT" (hereinafter referred to as the said Model), manufactured by M/s. Axis Electronics, G-72, Selaqui Industrial Area, Dehradun-248197, Uttarakhand and which is assigned the approval mark IND/09/09/16;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 300g and minimum capacity of 200mg. The verification scale interval (e) is 10mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

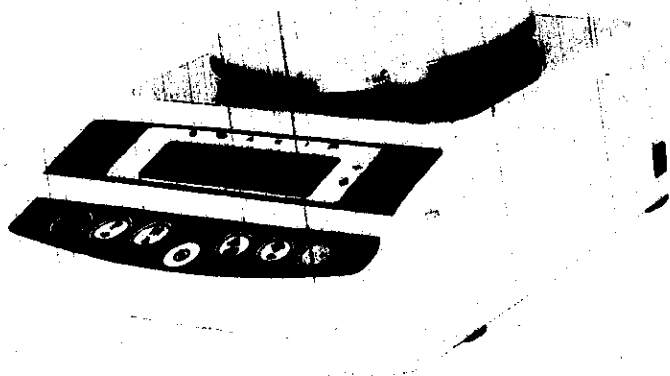


Figure-2 Sealing diagram of the sealing provision of the Model.

There is a hole in the top cover and also a hole in the bottom base of the scale. A leaded wire is inserted in the two holes and a loop is made to prevent the opening of the instrument without breaking of the seal. The seal prevents opening of the covers as it holds the top and the bottom cover together and hence preventing access to the inside of the instrument box.

The Instrument has external access to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration. A typical schematic diagram of sealing provision of the Model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg, with verification scale interval (n) in the range of 100 to 50000 for 'e' value of 1mg to 50mg and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg, or more and with 'e' value of  $1 \times 10^k$ ,  $5 \times 10^k$  or  $10 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No. WM-21(289)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

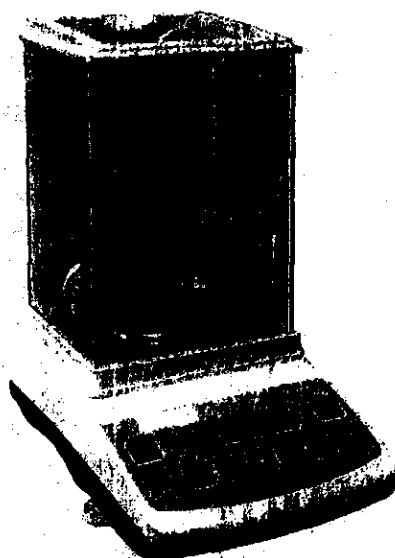


नई दिल्ली, 26 अगस्त, 2009

का.आ. 2846.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए, मैसर्स एक्सिस इलेक्ट्रॉनिक्स, जी-72, सेलाकी इंडस्ट्रियल एरिया, देहरादून-248197, उत्तराखण्ड द्वारा विनिर्मित विशेष यथार्थता (यथार्थता वर्ग 1) वाले "AXA" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "SMART IMPACT" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/17 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक इलैक्ट्रो मैग्नेटिक फोर्स कम्पेन्सेशन प्रिन्सिपल पर आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 320 ग्रा. है और न्यूनतम क्षमता 100 मि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 मि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डिस्प्ले (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



टॉप कवर और बाटम कवर के पिछे की तरफ एक एलायनिंग छेद बड़ा दिया गया है। इन दोनों छेदों में लीड तार डाल कर एक कंड्यूट और एक फंदा बनाया जाता है, जो सील को तोड़े बिना उपकरण को खोले जाने से रोकता है। फ्रंट कवर और रीयर कवर को आपस में जोड़ती सील, कवर को खोलने से और उपकरण बाक्स की भीतरी पहुंच में जाने से रोकती है।

उपकरण में बाहरी कलिब्रेशन तक पहुंच की सुविधा है। बाहरी कलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मुद्र बोर्ड में डिप स्विच भी दिया गया है। माडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त माडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित माडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 50,000 या अधिक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10 के, 2×10 के, 5×10 के, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (289)/2008]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

**S.O. 2846.**— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over period of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top Type) with digital indication of special accuracy (Accuracy class-I) of series "AXA" and with brand name "SMART IMPACT" (hereinafter referred to as the said model), manufactured by M/s. Axis Electronics, G-72, Selaqui Industrial Area, Dehradun-248197, Uttarakhand and which is assigned the approval mark IND/09/09/17;

The said model is an electro magnetic force compensation principle based non-automatic weighing instrument with a maximum capacity of 320g and minimum capacity of 100mg. The verification scale interval (e) is 1mg. It has a tare device with a 100 percent subtractive retained tare effect. The Liquid Crystal Diode Display (LCD) display indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

Figure- I Model

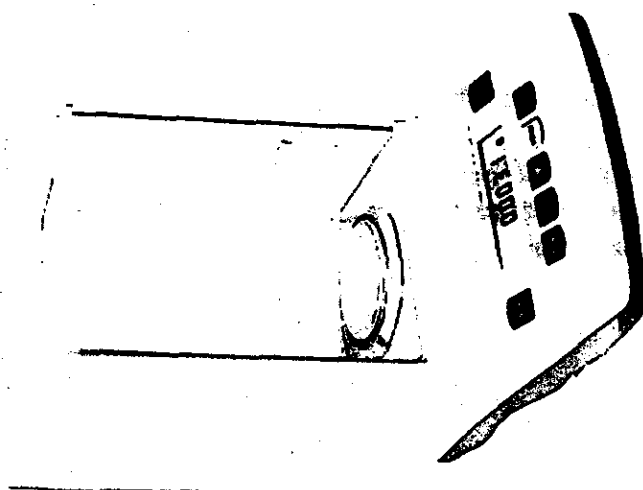


Figure-2 Schematic diagram of the sealing provision of the model

The top cover and the bottom cover have a aligning hole on the rear side extened out. A leaded wire is inserted in the two holes forming a conduit and a loop is made to prevent the opening of the instrument without breaking of the seal. The seal prevents opening of the covers as it holds the front and the rear cover together and hence preventing access to the inside of the instrument box.

The instrument has external access to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with veification scale interval (n) in the range of 50,000 or above for 'e' value of 1mg or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(289)/2008]

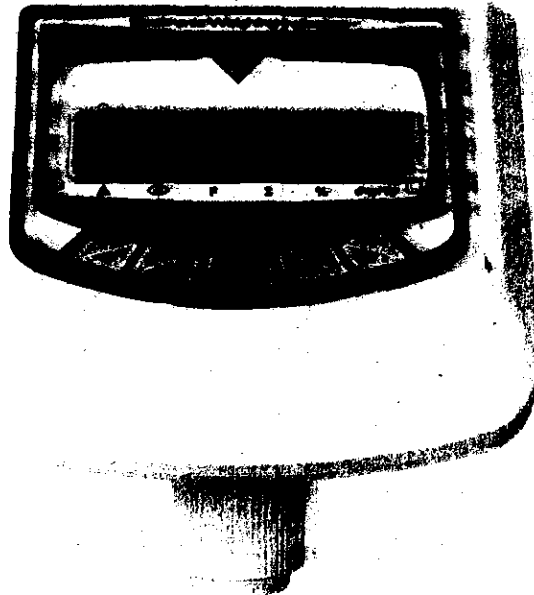
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2847:—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबन्धों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एक्सिस इलेक्ट्रॉनिक्स, जी-72, सेलाकी इंडस्ट्रियल एरिया, देहरादून-248197, उत्तराखण्ड द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "WAX" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (वेब्रिज मल्टी लोड सैल टाइप) के मॉडल का, जिसके ब्रांड का नाम "SMART IMPACT" है (जिसे इसमें इस के पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/18 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल अस्वचालित अस्वचालित तोलन उपकरण (वेब्रिज मल्टी लोड सैल टाइप) है। इसकी अधिकतम क्षमता 40,000 कि.ग्रा. है और न्यूनतम क्षमता 200 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तनात्मक धरित आधेयतुलन प्रभाव है प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



इंडीकेटर तीन हिस्सों से बना है, उपरी कवर, तल कवर और प्रिंटेड सर्किट बोर्ड प्रोटेक्शन कवर। स्केल का कवर एक लम्बे पेंच, जिसके ऊपरी सिरे पर एक छेद है, के सांचे में ढला है। प्रिंटेड सर्किट बोर्ड प्रोटेक्शन के ऊपरी कवर पर इलेक्ट्रॉनिक लगाया गया है। एक बार लगाने पर, प्रिंटेड सर्किट बोर्ड प्रोटेक्शन प्लेट में से उपरी कवर में ढाला गया पेंच को चूड़ीदार छेद में से निकलने पर प्रिंटेड सर्किट बोर्ड प्रोटेक्शन प्लेट पर नट की सहायता से कस दिया जाता है। सीसे की तार घुसा कर फंदा बनाया जाता है ताकि सील तोड़े बिना उपकरण को खोला न जा सके।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड / मंदर बोर्ड में डिफ स्विच भी दिया गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मॉक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 500 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10 के, 2×10 के, 5×10 के, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम्-21 (289)/2008]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26 August, 2009

**S.O. 2847.**— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Weighbridge-Multi Load Cell Type) with digital indication of medium accuracy (Accuracy class-III) of series "WAX" and with brand name "SMART IMPACT" (hereinafter referred to as the said model), manufactured by M/s. Axis Electronics, G-72, Selaqui Industrial Area, Dehradun-248197, Uttarakhand and which is assigned the approval mark IND/09/09/18;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Weighbridge-Multi Load Cell Type) with a maximum capacity of 40,000 kg and minimum capacity of 200 kg. The verification scale interval (e) is 10 kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

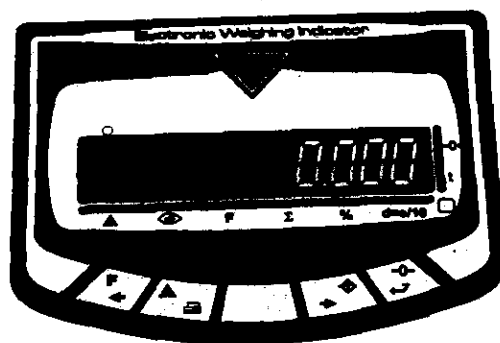


Figure-2 Sealing provision of the indicator of the model

The indicator consists of three parts, that is the top cover, bottom cover and the pcb protection cover. The cover of the scale is moulded with a long screw which has a hole towards the top end. The electronic is fitted in the top cover of the pcb protection cover is fitted, the screw moulded in the top cover comes out of the pcb protection plate, once fitted, the threaded hole which is coming out of the pcb protection plate is fastened with the help of a nut. A leaded wire is inserted and a loop is made to prevent the opening of the instrument without breaking of the seal.

The instrument has external access to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 500g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(289)/2008]

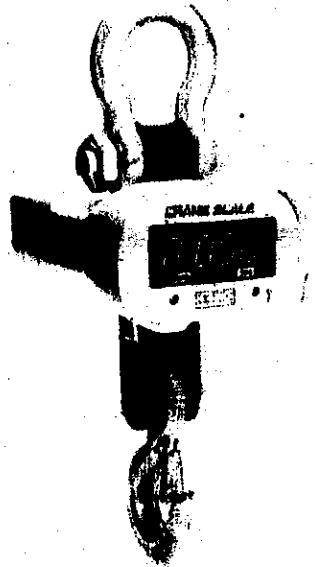
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2848.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एक्सिस इलेक्ट्रोनिक्स, जी-72, सेलाकी इंडस्ट्रियल एरिया, देहरादून-248197, उत्तराखण्ड द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "CRAX" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (क्रैन टाइप) के मॉडल का, जिसके ब्रांड का नाम "SMART IMPACT" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/19 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (क्रैन टाइप) है। इसकी अधिकतम क्षमता 6,000 कि.ग्रा. है और न्यूनतम क्षमता 40 मि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्केल की बैक प्लेट में एक छेद है जिसमें छेद वाला बोल्ट है। इस बोल्ट पर पेच कसा जाता है जो यह सुनिश्चित करता है कि यदि इस पेच को नहीं निकाला जाता तो इस प्लेट को हटाया नहीं जा सकता। सील को तोड़े बिना उपकरण को खोले जाने से रोकने के लिए लीड तार को निकालकर लूप बनाया जाता है। सील, कवर को खोले जाने से रोकती है चूंकि इसके फ्रंट बाडी और बैक प्लेट को एक साथ रखा है और उपकरण बाक्स के अन्दर के इलेक्ट्रॉनिक्स तक पहुंच को रोकता है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड / मदर बोर्ड में डिप स्विच भी दिया गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 500 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 500 कि. ग्रा. से अधिक और 50 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10 के, 2×10 के, 5×10 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू एम-21 (289)/2008]

आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

**S.O. 2848.**— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Crane Type) with digital indication of medium accuracy (Accuracy class-III) of series "CRAX" and with brand name "SMART IMPACT" (hereinafter referred to as the said Model), manufactured by M/s. Axis Electronics, G-72, Selaqui Industrial Area, Dehradun-248197, Uttarakhand and which is assigned the approval mark IND/09/09/19;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Crane type) with a maximum capacity of 6000 kg and minimum capacity of 40 kg. The verification scale interval (e) is 2kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

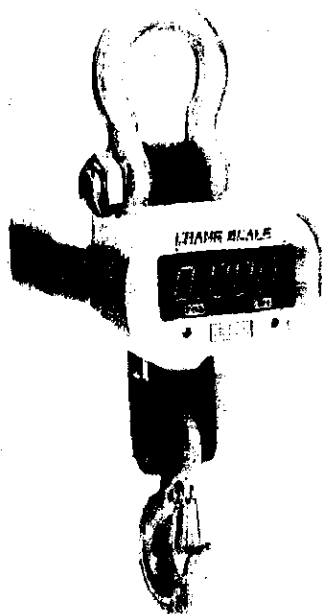


Figure-2 Sealing arrangement

The black plate of the scale has a hole from which a bolt with a hole is available. A nut is tightened on this bolt which ensures that the plate is not removeable if this nut is not taken out. A leaded wire is inserted and a loop is made to prevent the opening of the instrument without breaking of the seal. The seal prevents opening of the covers as it holds the front body and back plate together and hence preventing access to the electronics of the inside of the instrument box.

The instrument has external access to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 500 kg and up to 50 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 500g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No. WM-21(289)/2008]

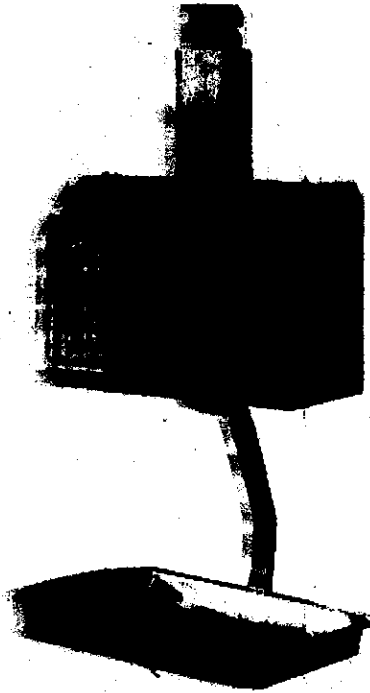
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2849.—केन्द्रीय सरकार का, विहित प्राधिकारी नीदरलैंड मीटिनिस्ट्रट (एन. एम. आई.) नीदरलैंड द्वारा जारी मॉडल अनुमोदन प्रमाणपत्र के साथ उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स मैटलर टोलेडो (खांखड़ा) सकेल्ज एंड सिस्टम लिमिटेड, नं. 111, चांगवसी रोड, चांगझाड, जिआंगसू चाइना-213125 पी आर ऑफ चाइना द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "8442" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (हैंगिंग टाइप) के मॉडल का, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे मैसर्स मैटलर टोलेडो इंडिया प्राइवेट लि. अमर हिल्स, साकी विहार रोड, पोचई, मुंबई-400072 महाराष्ट्र द्वारा बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में विपणित किया गया और जिसे अनुमोदन चिह्न आई एन डी/09/09/200 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टाइप प्रकार) है। इसकी अधिकतम क्षमता 15 कि.ग्रा.  $\leq \text{Max} \leq 30$  कि. ग्रा. और सत्यापन मापमान अंतराल (एन) -3000 के लिए  $E \leq 2, \geq$  है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 चोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



उपकरण के तल में दो स्थानों पर सीलिंग की गई है ताकि सील तोड़े बिना मशीन को खोला न जा सके। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

[फा. सं. डब्ल्यू एम-21 (27)/2008]

आर. माधुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

**S.O. 2849.**— Whereas the Central Government after considering the report submitted to it by prescribed authority, along with the Model approval certificate issued by the Netherlands Meetinstituut (NMI), Netherlands is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Hanging Type) with digital indication of "8442" series of medium accuracy (Accuracy class-III) (hereinafter referred to as the said Model), manufactured by M/s. Mettler-Toledo (Chang Zhou) Scale & System Ltd., No. 111, Changxi Road, Changzhou, Jiangsu-213125, P. R. of China and marketed in India without any alteration before or after sale by M/s. Mettler Toledo India Pvt. Ltd., Amar Hills, Saki Vihar Road, Powai, Mumbai, Maharashtra and which is assigned the approval mark IND/09/09/200;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 15 kg.  $\leq \text{Max} \leq 30$  kg. in respect of verification scale interval  $(n) \leq 3000$  for  $e \geq 2$ g. The liquid crystal diode (LCD) display indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

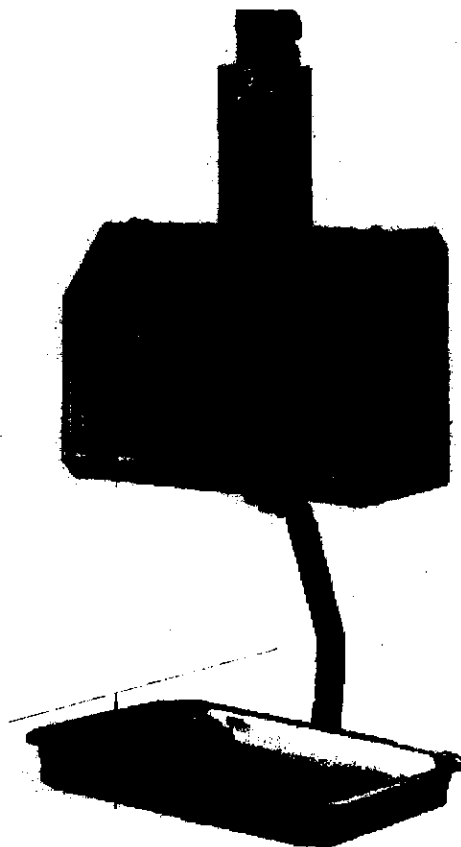


Figure-2 Sealing arrangement

Sealing is done at the bottom of the instrument at two places so that the machine cannot be opened without breaking the seal. A typical schematic diagram of sealing provision of the Model is given above.

[F.No. WM-21(27)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

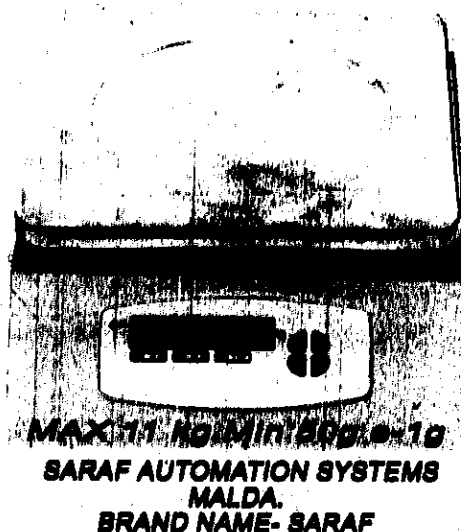


नई दिल्ली, 26 अगस्त, 2009

का.आ. 2850.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सराफ ऑटोमेशन सिस्टम्स नार्थ बलूचर, जुबली रोड, मालदा-732 101 (पश्चिम बंगाल) द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले 'एस टी एस' शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "सराफ" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/326 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 11 कि.ग्रा. और न्यूनतम क्षमता 50 ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 ग्रा. है। इसमें एक अधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित अधियतुलन प्रभाव उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



बोटम प्लेट पर और इंडीकेटर के साइड प्लेट पर दो छेद करके सीलिंग की जाती है और इन छेदों से टिक्सट सीलिंग तार डाली जाती है उसके बाद लीड द्वारा सील की जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्रकृपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में और 100 मि.ग्रा. अथवा उससे अधिक के "ई" मान के लिए 5000 से 50,000 की सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-3}$ ,  $2 \times 10^{-3}$ ,  $5 \times 10^{-3}$ , के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (256)/2008]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

**S.O. 2850.**— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weight and Measures Act, 1976 (60 of 1976) and the Standards of Weight and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over period of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top Type) with digital indication of high accuracy (Accuracy class-II) of series "SARAF" and with brand name "STS" (hereinafter referred to as the said model), manufactured by M/s. Saraf Automation Systems, North Baluchar, Jubli Road, Malda-732101 (WB) which is assigned the approval mark IND/09/08/326;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 11 kg. and minimum capacity of 50g. The verification scale interval (e) is 1g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

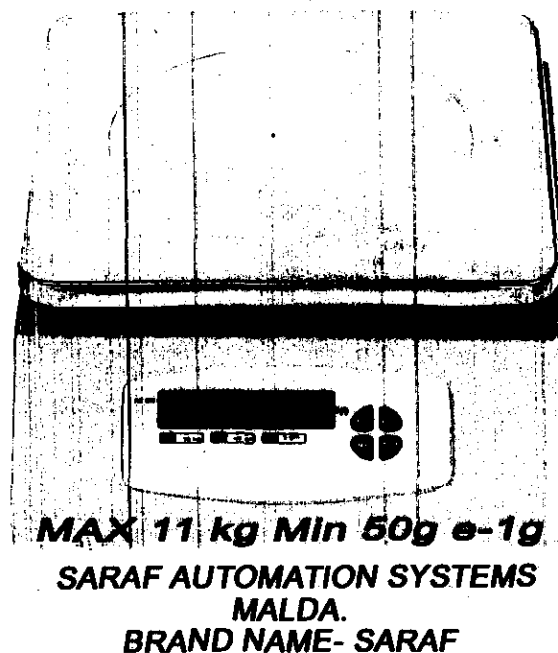


Figure-2 Sealing arrangement

Sealing is done by making two holes, one in bottom plate and other in the side plate and a twisted sealing wire is passed from these holes and then sealed by the lead. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg. to 50mg. and with verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(256)/2008]

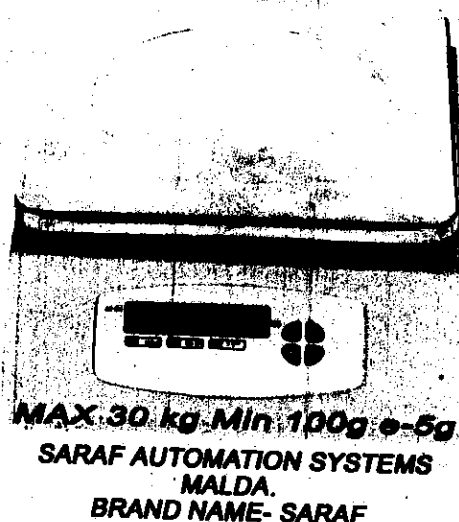
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2851.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सराफ आटोमेशन सिस्टम्स नार्थ बलुचर, जुबली रोड, मालदा-732 101 (पश्चिम बंगाल) द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग III) वाले 'एस टी' शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "सराफ" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/327 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक अधियतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



बोटम प्लेट पर और इंडीकेटर के साइड प्लेट पर दो छेद करके सीलिंग की जाती है और इन छेदों से टिक्सट सीलिंग तार डाली जाती है और उसके बाद लीड द्वारा सील की जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त माडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित माडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. क्षमता वाले हैं और "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$ ,  $5 \times 10^{-6}$ , के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (256)/2008]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

S.O. 2851.— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weight and Measures Act, 1976 (60 of 1976) and the Standards of Weight and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over period of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Tabletop Type) with digital indication of medium accuracy (Accuracy class-III) of series "SARAF" and with brand name "ST" (hereinafter referred to as the said model), manufactured by M/s. Saraf Automation Systems, North Baluchar, Jubli Road, Malda-732101 (WB) which is assigned the approval mark IND/09/08/327;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

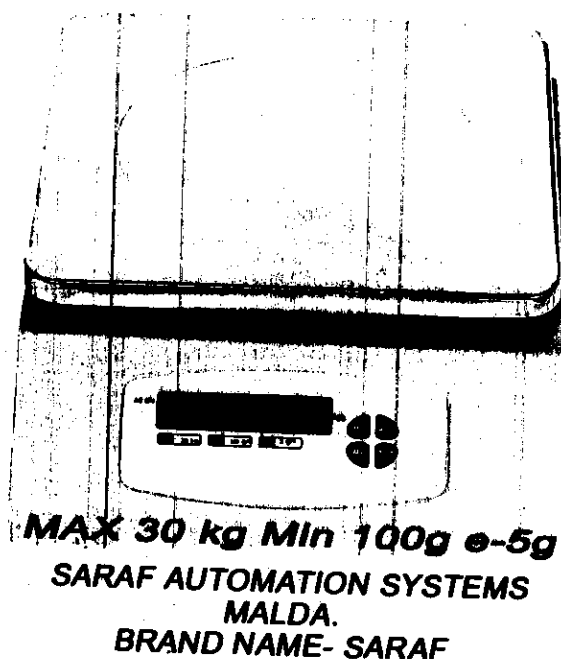


Figure-2 Sealing arrangement

Sealing is done by making two holes, one in bottom plate and other in the side plate and a twisted sealing wire is passed from these holes and then sealed by the lead. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(256)/2008]

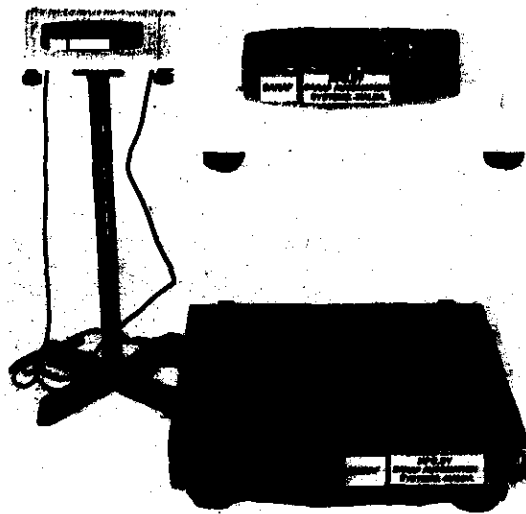
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2852.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सराफ आटोमेशन सिस्टम्स नार्थ बलूचर, जुबली रोड, मालदा-732 101 (पश्चिम बंगाल) द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "एस पी एस" श्रृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "सराफ" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/328 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 300 कि.ग्रा. और न्यूनतम क्षमता 1 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 20 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



सीलिंग बोल्ट में से वायर निकाल कर, वायर और लीड से इंडीकेटर के पिछली तरफ स्ट्याम्पिंग के पास सीलिंग प्वाइंट है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबत्र डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से अधिक और 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10 के, 2×10 के, 5×10 के, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (256)/2008]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

**S.O. 2852.**— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over period of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform Type) with digital indication of high accuracy (Accuracy class-II) of series "SPS" and with brand name "SARAF" (hereinafter referred to as the said model), manufactured by M/s. Saraf Automation Systems, North Baluchar, Jubli Road, Malda-732101 (WB) which is assigned the approval mark IND/09/08/328;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 300 kg. and minimum capacity of 1 kg. The verification scale interval (e) is 20g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting diode (LED) indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

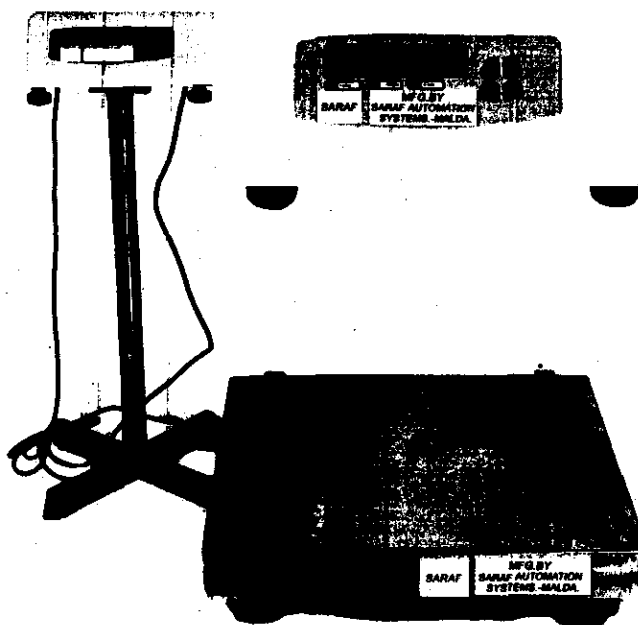


Figure-2 Sealing Diagram

Sealing point location is near stamping place at back side of the indicator through wire and lead, passing wire through sealing bolt. A typical schematic diagram of sealing provision of the model is given above.

further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. and up to 5000kg. with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(256)/2008]

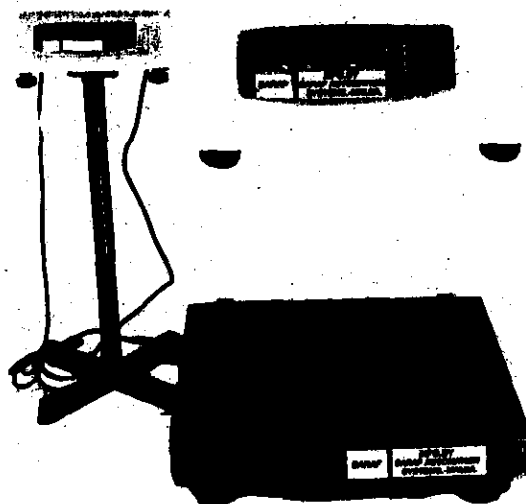
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2853.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सराफ आटोमेशन सिस्टम्स नार्थ बलूचर, जुबली रोड, मालदा-732 101 (पश्चिम बंगाल) द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग III) वाले "एस पी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "सराफ" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/329 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



सीलिंग बोल्ट में से वायर निकाल कर, वायर और लीड से इंडीकेटर के पिछली तरफ स्ट्याम्पिंग के पास सीलिंग प्वाइंट है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से अधिक और 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10 के, 2×10 के, 5×10 के, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (256)/2008]

आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

S.O. 2853.— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over period of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (PlatformType) with digital indication of medium accuracy (Accuracy class-III) of series "SP" and with brand name "SARAF" (hereinafter referred to as the said model), manufactured by M/s. Saraf Automation Systems, North Baluchar, Jubli Road, Malda-732101 (WB) which is assigned the approval mark IND/09/08/329;

The said model is a strain gauge type load cell based non-authomatic weighing instrument (Platform type) with a maximum capacity of 1000 kg. and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting diode (LED) indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

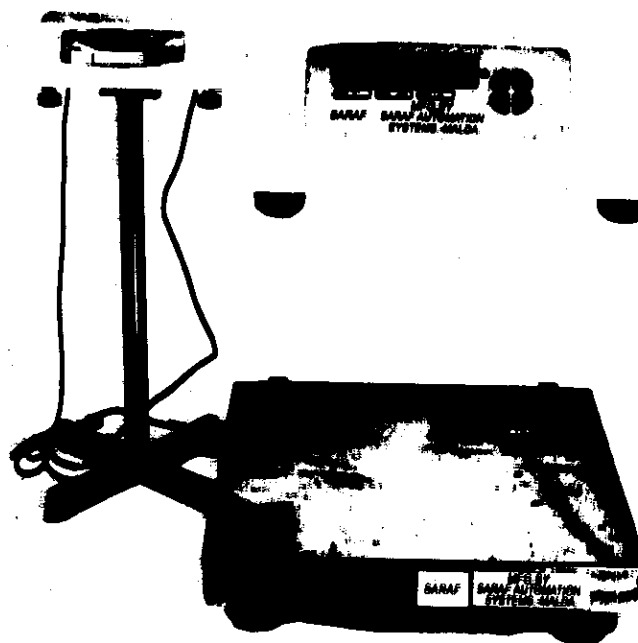


Figure-2 Sealing provision of the indicator of model

Sealing point location is near stamping place at back side of the indicator through wire and lead, passing wire through sealing bolt. A typical schematic diagram of sealing provision of the model is given above.

further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg. and up to 5000kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(256)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

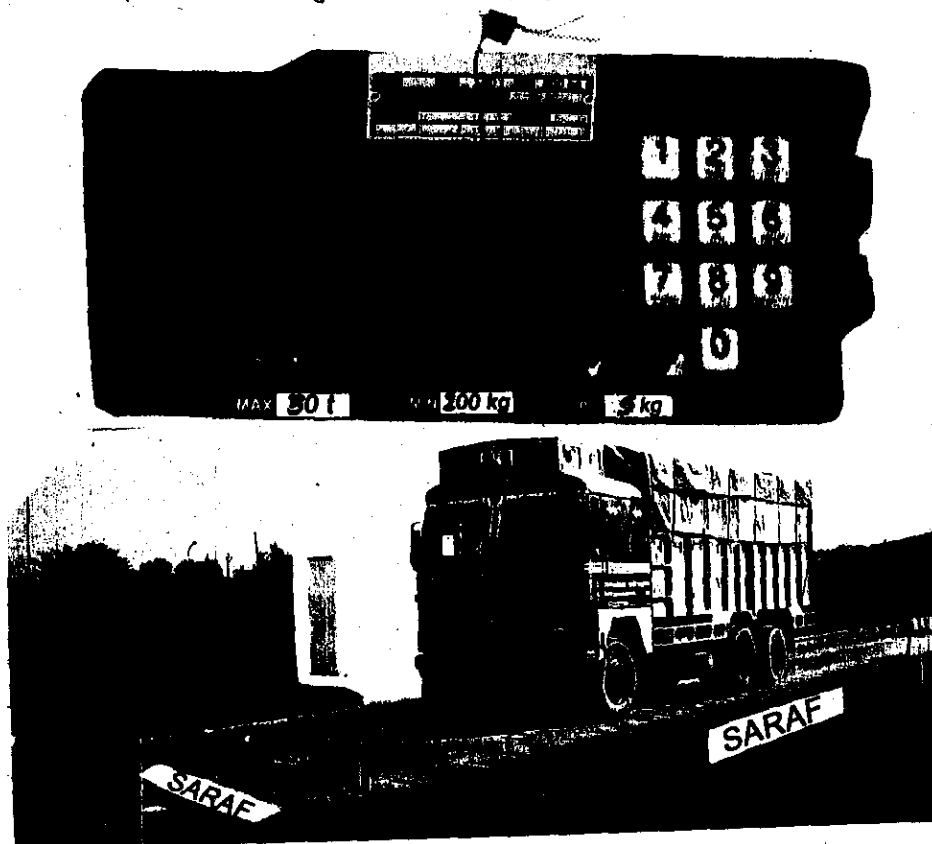


नई दिल्ली, 26 अगस्त, 2009

**का.आ. 2854.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सराफ ऑटोमेशन सिस्टम्स, नार्थ बलूचर, जुबली रोड, मालदा-732101 (पश्चिम बंगाल) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एस डब्ल्यू बी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (वेब्रिज टाइप) के मॉडल का, जिसके ब्रांड का नाम "सराफ" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/330 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (वेब्रिज प्रकार) है। इसकी अधिकतम क्षमता 30 टन है और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



सीलिंग बोल्ट में से वायर निकाल कर, वायर और लीड से इंडीकेटर के पिछली तरफ स्टाम्पिंग के पास सीलिंग प्वाइंट है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10 के, 2×10 के, 5×10 के, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (256)/2008]

New Delhi, the 26th August, 2009

**S.O. 2854.**— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over period of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Weighbridge Type) with digital indication of medium accuracy (Accuracy class-III) of series "SWB" and with brand name "SARAF" (hereinafter referred to as the said model), manufactured by M/s. Saraf Automation Systems, North Baluchar, Jubli Road, Malda-732101 (WB) and which is assigned the approval mark IND/09/08/330;

The said model is a strain guage type load cell based non-automatic weighing instrument (Weighbridge Type) with a maximum capacity of 30 tonne and minimum capacity of 100 kg. The verification scale interval (e) is 5 kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure- 1 Model



Sealing point location is near stamping place at back side of the indicator through wire and lead, passing wire through sealing bolt. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(256)/2009]

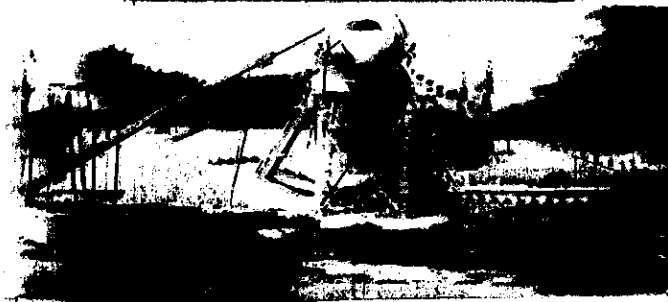
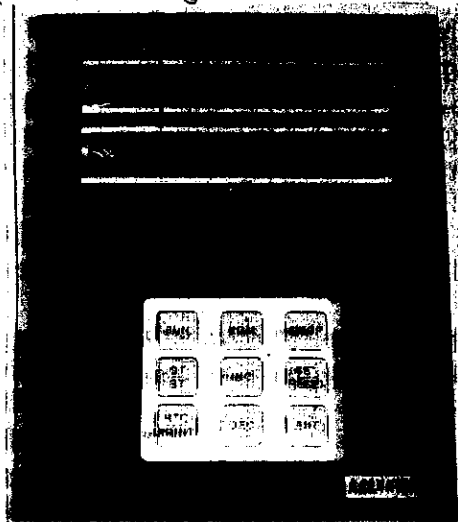
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

कक्षा 36, 2009-10 के अंशिक नियमों के अन्तर्गत, सड़क परिवहन विभाग द्वारा असेसमेंट रिपोर्ट पर सड़क परिवहन विभाग के परामर्श के आधार पर यह निर्णय लिया गया है कि उक्त रिपोर्ट में वर्णित मॉडल (सीमेंट की गई आकृति देखें) काट और माप मानक अभिनियम, 1976 (1976 का 160) तथा काट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि समस्त उपयोग की अवधि में भी उक्त मॉडल यथार्थता का रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करेगा रहेगा;

अतः, उक्त के अंशिक नियमों के अन्तर्गत 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रस्तुत शर्तियों का उपयोग करते हुए, मैसर्स अजयस फिओरी इन्जीनियरिंग (1) प्रा. लि. नं. 16 एंड 17, के आई ई डी सी इंजीनियरिंग फर्म, डोडगावतपुर-561203 द्वारा विनिर्मित यथार्थता वर्ग 1 वाले "अमेरिकन बाइसेन" शृंखला के डिस्कॉन्टिन्युअस टोटलाजिंग स्वचालित तोलन उपकरण (टोटलाइजिंग हुपर व्हीयर-बेविंग प्लांट) अंकक सूचन सहित, के मॉडल का, जिसके ब्रांड का नाम "अजयस फिओरी" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/371 समनुद्दिष्ट किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विद्युत-प्रेरित प्रकार का भार-सेल आधारित डिस्कॉन्टिन्युअस टोटलाजिंग स्वचालित तोलन उपकरण (टोटलाइजिंग हुपर व्हीयर-बेविंग प्लांट) है। इसकी अधिकतम क्षमता 2400 कि.ग्रा. है और न्यूनतम क्षमता 200 कि.ग्रा. है। संचालन मापमान अंतराल (ई) 1 कि.ग्रा. है। इसका एक 30mm/hr का 1.0m स्प्रेंट साइज है और अधिकतम स्प्रेंट क्षमता 40m/hr है। उक्त मशीन को सीमेंट बेविंग प्लांट आदि में विभिन्न इन्डेंट्स को तोलने और भरने के लिए डिजाइन किया गया है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 415 वोल्ट और 50 हर्ट्ज अक्षांशीय धारा विद्युत प्रदाय पर कार्य करता है।



सीलिंग का तरीका और स्थान : इंडेकेटर के पिछली तरफ दो छेद किए जाते हैं, एक टॉप-पर दाहिनी तरफ और एक आउटर कवर काट कर तल में बायीं तरफ और स्ट्रॉप और स्केल के सतह के लिए छेदों को सीड कवर से बांधा जाता है। इस को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता।

और के अंशिक नियमों के अन्तर्गत 36 की उपधारा (12) द्वारा प्रस्तुत शर्तियों का उपयोग करते हुए यह निर्णय लिया गया है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यप्रदर्शन के तोलन उपकरण भी होंगे जिनकी क्षमता 20 टन तक है।

[फा. सं. डब्ल्यूएम-21 (264)/2008]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

**S.O. 2855.**— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weight and Measures Act, 1976 (60 of 1976) and the Standards of Weight and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over period of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Discontinuous Totalizing Automatic weighing instruments (Totalizing Hopper Weigher-Batching Plant) with digital indication and of accuracy class-I series "AMERICAN BISON" and with brand name "AJAX FIORI" (hereinafter referred to as the said model), manufactured by M/s. Ajax Fiori Engineering (I) Pvt. Ltd, No. 16 & 17, KIADB Industrial Area, Doddaballapur-561203 and which is assigned the approval mark IND/09/08/371;

The said model is a strain gauge type load cell based Discontinuous (Totalizing Automatic weigher instrument (Totalizing Hopper Weigher-Batching Plant) with a maximum capacity of 2400 kg and minimum capacity of 200 kg. The verification scale interval (e) is 1 kg. It has a plant size of 30m<sup>3</sup>/hr of 1.0m<sup>3</sup> and maximum plant capacity up to 40m<sup>3</sup>/hr. The machine is designed for weighing and filling the various ingredient used in cement batching plant etc. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on three phase 415 Volts, 50Hertz alternative current power supply.

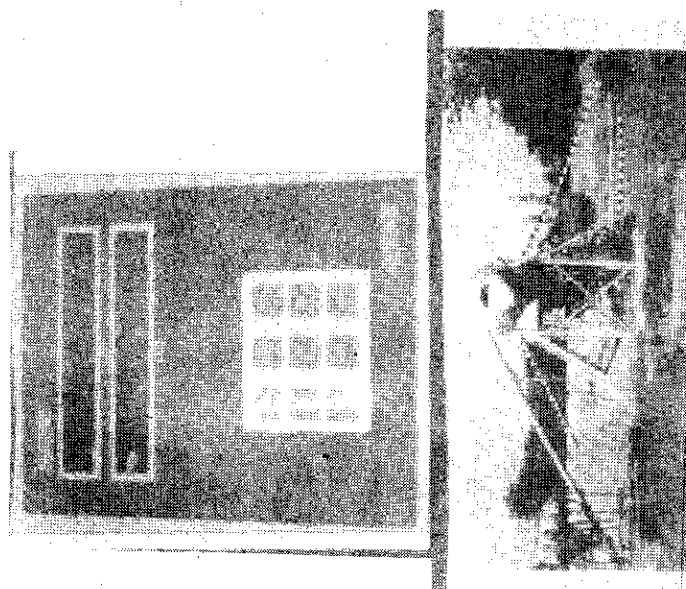


Figure-3

**Manner and Place of Sealing :** By the rear side of the indicator 2 holes are made one on top right side and one on bottom left side by cutting the outer cover and fastened by a leaded wire for receiving the verification stamp and seal. It cannot be opened without tampering the seal.

Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity in the range upto 20 tonne manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

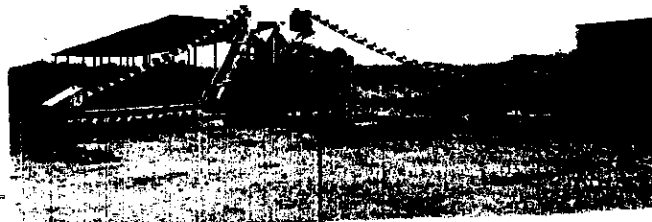
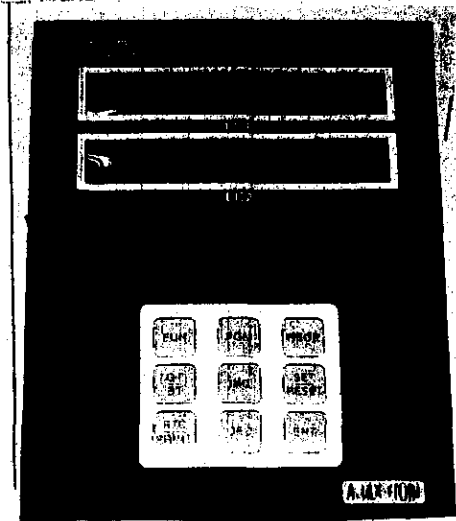
[F. No. WM-21(264)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2856.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स अजेक्स फिओरी इंजीनियरिंग (1) प्रा. लि. नं. 16 एंड 17, केआईएडीबी इंडस्ट्रियल एरिया, डोडाबालापुर-561203 द्वारा विनिर्मित यथार्थता वर्ग 1 वाले “आर एल ए-20” शृंखला के डिस्कॉटिन्युअस टोटलाइजिंग स्वचालित तोलन उपकरण (टोटलाइजिंग हुपर व्हीयर-बेचिंग प्लांट) अंकक सूचन सहित, के मॉडल का, जिसके ब्रांड का नाम “अजेक्स फिओरी” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/372 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित डिस्कॉटिन्युअस टोटलाइजिंग स्वचालित तोलन उपकरण (टोटलाइजिंग हुपर व्हीयर-बेचिंग प्लांट) है। इसकी अधिकतम क्षमता 1200 कि.ग्रा. है और न्यूनतम क्षमता 200 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 कि.ग्रा. है। इसका एक  $20 \text{ m}^3/\text{hr}$  का  $0.625 \text{ m}^3$  प्लांट साइज है और अधिकतम प्लांट क्षमता  $30 \text{ m}^3/\text{hr}$  है। उक्त मशीन को सीमेंट बेचिंग प्लांट आदि में विभिन्न इंगितडेंट्स को तोलने और भरने के लिए डिजाइन किया गया है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 415 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

सीलिंग का तरीका और स्थान : इंडीकेटर के पिछली तरफ दो छेद किए जाते हैं, एक टॉप पर दायीं तरफ और एक आउटर कवर काट कर तल में बायीं तरफ और स्टाम्प और सील के सत्यापन के लिए छेदों को लीड वायर से बांधा जाता है। इस सील से छेदछाड़ किए बिना नहीं खोला जा सकता।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जिनकी क्षमता 15 टन तक है।

[फा. सं. डब्ल्यू एम-21 (264)/2008]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

**S.O. 2856.**— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Discontinuous Totalizing Automatic weighing instrument (Totalizing Hopper Weigher-Batching Plant) with digital indication of (Accuracy class-I) series "RLA 20" and with brand name "AJAX FLORI" (hereinafter referred to as the said model), manufactured by M/s. Ajax Fiori Engineering (I) Pvt. Ltd, No. 16 & 17, KIADB Industrial Area, Doddaballapur-561203 and which is assigned the approval mark IND/09/08/372;

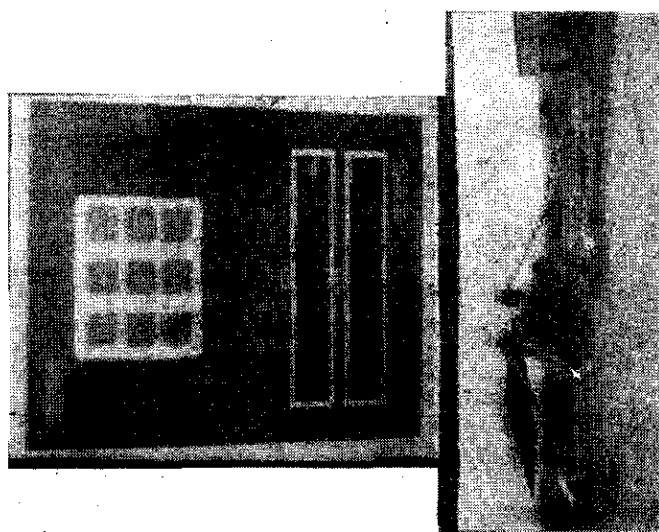


Figure- 1 Model

Figure-2

The said model is a strain gauge type load cell based (Discontinuous Totalizing Automatic weighing instrument (Totalizing Hopper Weigher-Batching Plant) with a maximum capacity of 1200 kg. and minimum capacity of 200 kg. The verification scale interval (e) is 1 kg. It has a plant size of 20m<sup>3</sup>/hr of 0.625m<sup>3</sup> and maximum plant capacity up to 30m<sup>3</sup>/hr. The machine is designed for weighing and filling the various ingredient used in cement batching plant etc. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on three phase 415 Volts, 50Hertz alternative current power supply.

**Manner a Place of Sealing.** By the rear side of the indicator 2 holes are made one on top right side and one on bottom left side by cutting the outer cover and fastened by a leaded wire for receiving the verification stamp and seal. It cannot be opened without tampering the seal.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity in the range upto 15 tonne manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

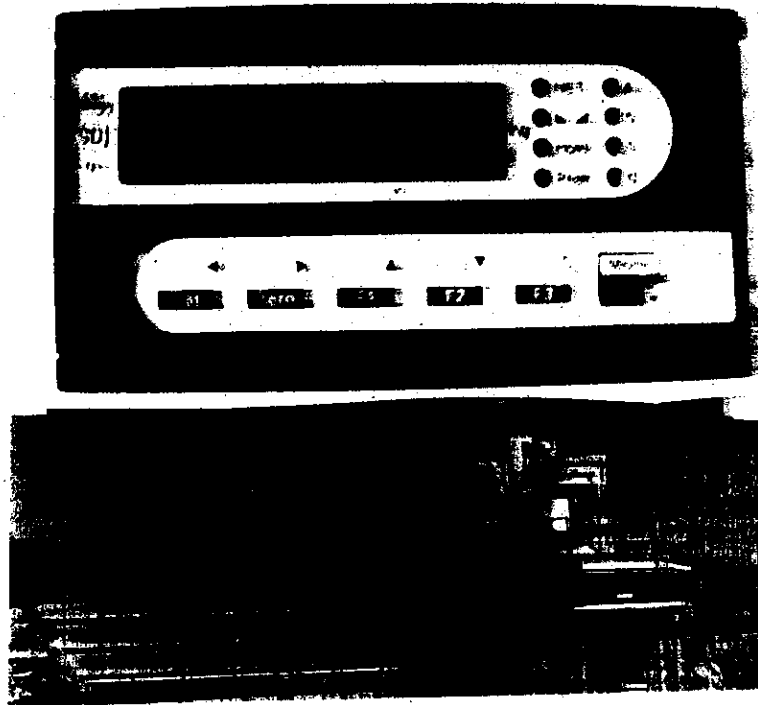
[F.No. WM-21(264)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

**क्या उक्त 2857:**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स अजेक्स फिओरी इंजीनियरिंग (1) प्रा. लि. नं. 16 एंड 17, केआईएडीबी इंडस्ट्रियल एरिया, डोडाबालापुर-561203 द्वारा विनिर्मित यथार्थता वर्ग 1 वाले "यूरोक्सस" शृंखला के डिजिटल यूसुस टोटलाइजिंग स्वचालित तोलन उपकरण (टोटलाइजिंग हुपर व्हीयर-बेचिंग प्लांट) अंकक सूचन सहित, के मॉडल का, जिसके ब्रांड का नाम "अजेक्स फिओरी" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिससे अनुमोदन विहित आर्डी एन सी 09/08/373 सम्बन्धित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।



उक्त मॉडल एक विद्युत गैर प्रत्यक्ष भार सेल आकारित डिजिटल यूसुस टोटलाइजिंग स्वचालित तोलन उपकरण (टोटलाइजिंग हुपर व्हीयर-बेचिंग प्लांट) है। इसकी अधिकतम क्षमता 2400 कि.ग्रा. है और न्यूनतम क्षमता 200 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 कि.ग्रा. है। इसका एक 60mm/7mm का 1:0.1mm प्लेट साइज है और अधिकतम प्लेट क्षमता 120m<sup>3</sup>/hr है। उक्त मशीन को सीमेंट बेचिंग प्लांट आदि में विभिन्न इंडस्ट्रियल को तोलने और भरने के लिए इस्तेमाल किया गया है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 415 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रणाली पर कार्य करता है।

सीलिंग का तरीका और स्थान : इंडीकेटर के पिछली तरफ दो छेद किए जाते हैं, एक टॉप पर दायीं तरफ और एक आउटर कवर काट कर तल में बायीं तरफ और स्ट्राम और सील के स्थापन के लिए छेदों को लीड वायर से बांधा जाता है। इसको सील से छेदछाड़ किए बिना नहीं खोला जा सकता।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जिनकी क्षमता 20 टन तक है।

[फा. सं. डब्ल्यू एम-21 (264)/2008]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

**S.O. 2857.**— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Discontinuous Totalizing Automatic weighing instrument (Totalizing Hopper Weigher-Batching Plant) with digital indication and of Accuracy class-I series "EUROAXN" and with brand name "AJAX FIORI" (hereinafter referred to as the said model), manufactured by M/s. Ajax Fiori Engineering (I) Pvt. Ltd, No. 16 & 17, KIADB Industrial Area, Doddaballapur-561203 and which is assigned the approval mark IND/09/08/373;

The said model is a strain gauge type load cell based Discontinuous Totalizing Automatic weighing instrument (Totalizing Hopper Weigher-Batching Plant) with a maximum capacity of 2400 kg and minimum capacity of 200 kg. The verification scale interval (e) is 1 kg. It has a plant size of 60m<sup>3</sup>/hr of 1.0 m<sup>3</sup> and maximum plant capacity up to 120 m<sup>3</sup>/hr. The machine is designed for weighing and filling the various ingredient used in cement batching plant etc. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on three phase 415 Volts, 50Hertz alternative current power supply.

Figure- 1 Model



Figure-2

**Manners Place of Sealing.** By the rear side of the indicator 2 holes are made one on top right side and one on bottom left side by cutting the outer cover and fastened by a leaded wire for receiving the verification stamp and seal. It cannot be opened without tampering the seal.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity in the range upto 20 tonne manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(264)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

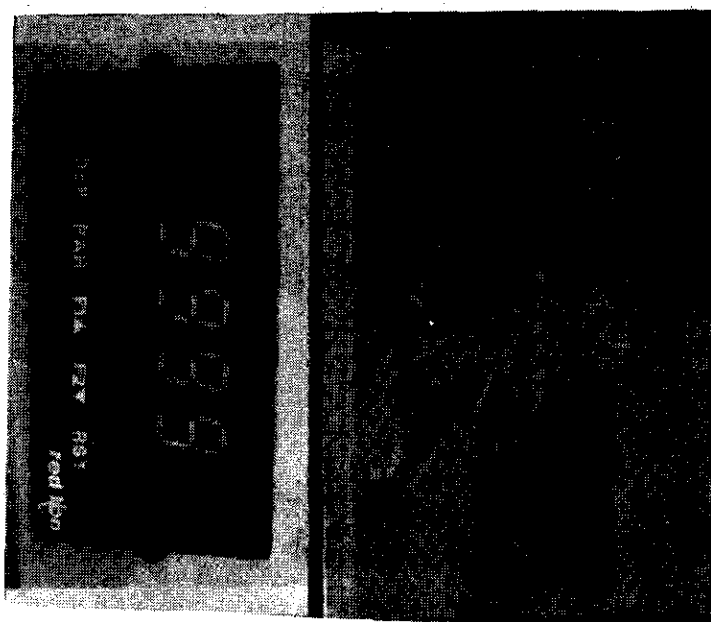


नई दिल्ली, 26 अगस्त, 2009

का.आ. 2858.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एक्वारियस इंजीनियरिंग प्रा. लि., सर्वे नं. 480, 481 और 482, विलेज-अम्बादवेत, तहसील-मुलशी, जिला पुणे द्वारा विनिर्मित यथार्थता वर्ग 1 वाले "एस एम पी" श्रृंखला के डिस्कॉटिन्युअस टोटलाइजिंग स्वचालित तोलन उपकरण (टोटलाइजिंग हुपर व्हीयर-बेचिंग प्लांट) अंकक सूचन सहित, के मॉडल का, जिसके ब्रांड का नाम "एक्वारियस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/367 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित डिस्कॉटिन्युअस टोटलाइजिंग स्वचालित तोलन उपकरण (टोटलाइजिंग हुपर व्हीयर-बेचिंग प्लांट) है। इसकी अधिकतम क्षमता 1250 कि.ग्रा. है और न्यूनतम क्षमता 200 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 कि.ग्रा. है। इसका एक 30 m<sup>3</sup>/hr का 0.5 m<sup>3</sup> प्लांट साइज है और अधिकतम प्लांट क्षमता 30 m<sup>3</sup>/hr है। उक्त मशीन को सीमेंट बेचिंग प्लांट आदि में विभिन्न इंग्रिडेंट्स को तोलने और भरने के लिए डिजाइन किया गया है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 3 फेज 415 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 इंडीकेटर के मॉडल का सीलिंग प्रावधान

सीलिंग करने का तरीका और स्थान : इंडीकेटर के पिछली तरफ आउटर कवर को काट कर एक ऊपर दायीं तरफ और दूसरा तल में बायीं तरफ दो छेद किए गए हैं और स्टाम्प और सील के सत्यापन के लिए छेदों को लीड वायर से बांधा गया है। सील से छेड़छाड़ किए बिना इसे खोला नहीं जा सकता।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 20 टन तक की रेंज में हैं।

[फा. सं. डब्ल्यू एम-21 (265)/2008]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

S.O. 2858.— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weight and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over period of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Discontinuous Totalizing Automatic weighing instruments (Totalizing Hopper Weighing-Batching Plant) with digital indication of Accuracy class-I, series "SMP" and with brand name "AQUARIUS" (hereinafter referred to as the said model), manufactured by M/s. Aquarius Engineer Pvt. Ltd., Survey No. 480, 481 and 482, Village: Ambadwet, Tal: Mulsi, Dist: Pune and which is assigned the approval mark IND/09/08/367;

The said model is a strain guage type load cell based Discontinuous Totalizing Automatic weighing instrument (Totalizing Hopper Weigher-Batching Plant) with a maximum capacity of 1250 kg and minimum capacity of 200 kg. The verification scale interval (e) is 1kg. It has a plant size of 30m<sup>3</sup>/hr of 0.5 m<sup>3</sup> and maximum plant capacity up to 30 m<sup>3</sup>/hr. The machine is designed for weighing and filling the various ingredient used in cement batching plant etc. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on three phase 415 Volts, 50Hertz alternative current power supply.

Figure- 1 Indicator

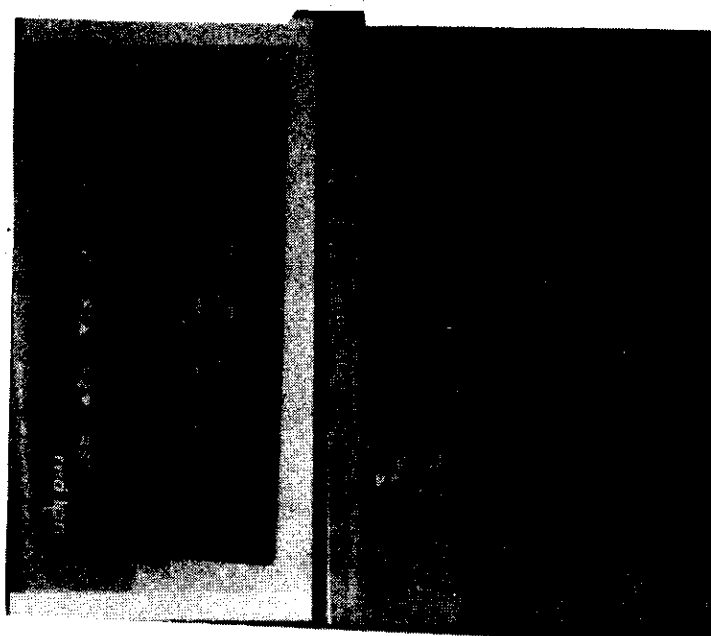


Figure-3 Schematic diagram of sealing arrangement

Manner and Place of Sealing : By the rear side of the indicator 2 holes are made one on top right side and one on bottom left side by cutting the outer cover and fastened by a leaded wire for receiving the verification stamp and seal. It cannot be opened without tampering the seal.

Further, in exercise of the power conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity in the range upto 20 tonne manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(265)/2008]

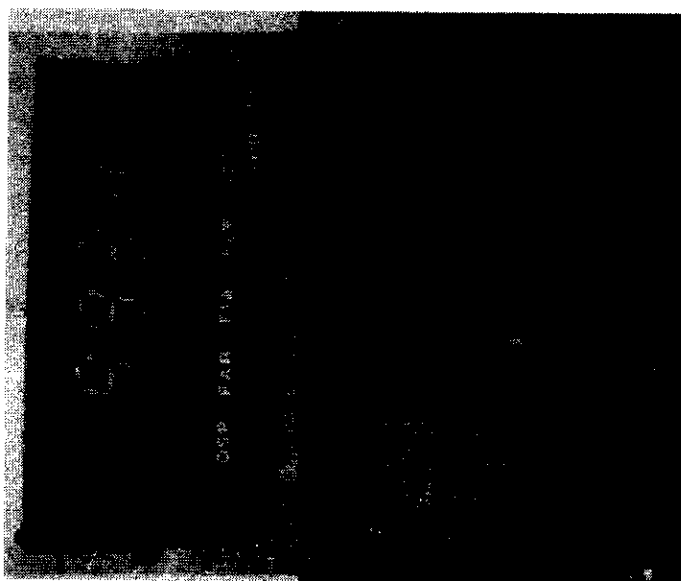
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

क्र.आ. 2859.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए, मैसर्स एक्वारियस इंजीनियरिंग प्रा. लि. सर्वे नं. 480, 481 और 482, विलेज-अम्बादचेत, तहसील-मुलशी, जिला पुणे द्वारा विनिर्मित यथार्थता वर्ग-1 वाले "एम पी" शृंखला के डिस्कॉटिन्युअस टोटलाइजिंग स्वचालित तोलन उपकरण (टोटलाइजिंग हुपर व्हीयर-बेचिंग प्लांट) अंकक सूचन सहित, के मॉडल का, जिसके ब्रांड का नाम "एक्वारियस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/368 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित डिस्कॉटिन्युअस टोटलाइजिंग स्वचालित तोलन उपकरण (टोटलाइजिंग हुपर व्हीयर-बेचिंग प्लांट) है। इसकी अधिकतम क्षमता 2500 कि.ग्रा. है और न्यूनतम क्षमता 200 कि.ग्रा. है और सत्यापन मापमान अंतराल (ई) 1 कि. ग्रा. है। इसका एक  $60 \text{ m}^3/\text{hr}$  का  $1.0 \text{ m}^3$  प्लांट साइज है और अधिकतम प्लांट क्षमता  $60 \text{ m}^3/\text{hr}$  है। उक्त मशीन को सीमेंट बेचिंग प्लांट आदि में विभिन्न इंग्रिडेंट्स को तोलने और भरने के लिए डिजाइन किया गया है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 3 फेज 415 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-3 इंडीकेटर के मॉडल का सीलिंग प्रावधान

सीलिंग करने का तरीका और स्थान — इंडीकेटर के पिछली तरफ आऊटर कवर को काटकर एक ऊपर दायीं तरफ और दूसरा तल में बायीं तरफ दो छेद किए गए हैं और स्ट्याम्प और सील के सत्यापन के लिए छेदों को लीड वायर से बांधा गया है। सील से छेदछाड़ किए बिना इसे खोला नहीं जा सकता।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सम्पत्ती से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 20 टन तक की रेंज में हैं।

[फा. सं. डब्ल्यू एम-21 (265)/2008]

आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

**S.O. 2859.**—Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Discontinuous Totalizing Automatic weighing instruments (Totalizing Hopper Weigher-Batching Plant) with digital indication and of Accuracy class-I, series "MP" and with brand name "AQUARIUS" (hereinafter referred to as the said model), manufactured by M/s. Aquarius Engineer Pvt. Ltd., Survey Nos. 480, 481 and 482, Village: Ambadwet, Tal: Mulshi Dist: Pune and which is assigned the approval mark IND/09/08/368;

The said model is a strain gauge type load cell based Discontinuous Totalizing Automatic weighing instrument (Totalizing Hopper Weigher-Batching Plant) with a maximum capacity of 2500 kg. and minimum capacity of 200 kg. The verification scale interval (e) is 1 kg. It has a plant size of 60m<sup>3</sup>/hr of 1.0 m<sup>3</sup> and maximum plant capacity up to 60 m<sup>3</sup>/hr. The machine is designed for weighing and filling the various ingredient used in cement batching plant etc. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on three phase 415 Volts, 50Hertz alternative current power supply.

Figure- 1 Indicator

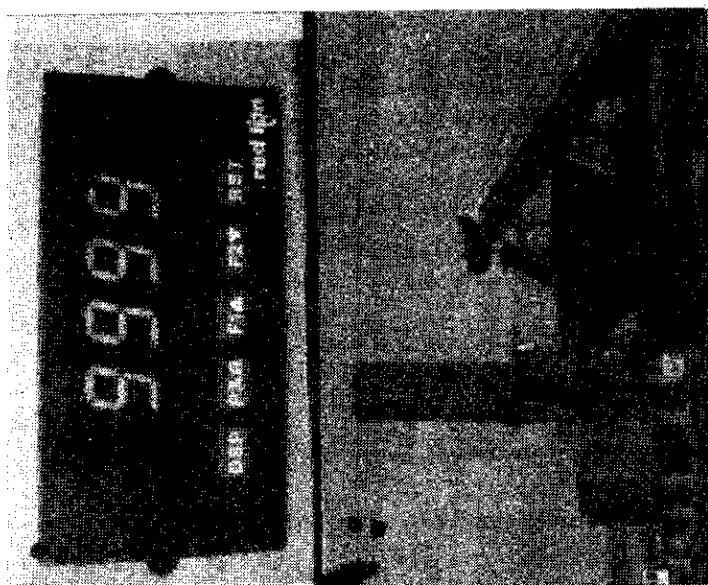


Figure-3 Schematic diagram of sealing arrangement

**Manner and Place of Sealing:** By the rear side of the indicator 2 holes are made one on top right side and one on bottom left side by cutting the outer cover and fastened by a leaded wire for receiving the verification stamp and seal. It cannot be opened without tampering the seal.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity in the range upto 20 tonne manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(265)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2860.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एक्वारियस इंजीनियरिंग प्रा. लि. सर्वे नं. 480, 481 और 482, विलेज-अम्बादवेत, तहसील-मुलशी, जिला पुणे द्वारा विनिर्मित यथार्थता वर्ग I वाले "एस पी" शृंखला के डिस्कॉटिन्युअस टोटलाइजिंग स्वचालित तोलन उपकरण (टोटलाइजिंग हुपर व्हीयर-बेचिंग प्लांट) अंकक सूचन सहित, के मॉडल का, जिसके ब्रांड का नाम "एक्वारियस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/369 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित डिस्कॉटिन्युअस टोटलाइजिंग स्वचालित तोलन उपकरण (टोटलाइजिंग हुपर व्हीयर-बेचिंग प्लांट) है। इसकी अधिकतम क्षमता 9600 कि.ग्रा. है और न्यूनतम क्षमता 400 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 कि. ग्रा. है। इसका एक  $60 \text{ m}^3/\text{hr}$  का  $1.0 \text{ m}^3$  प्लांट साइज है और अधिकतम प्लांट क्षमता  $100 \text{ m}^3/\text{hr}$  है। उक्त मशीन को सीमेंट बेचिंग प्लांट आदि में विभिन्न इंग्रिडेंट्स को तोलने और भरने के लिए डिजाइन किया गया है। प्रकाश उत्सर्जक डाबोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 415 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-3 इंडीकेटर के मॉडल का सीलिंग प्रावधान

सीलिंग करने का तरीका और स्थान – इंडीकेटर के पिछली तरफ आउटर कवर को काटकर एक ऊपर दायीं तरफ और दूसरा तल में बायीं तरफ दो छेद किए गए हैं और स्ट्याम्प और सील के सत्यापन के लिए छेदों को लीड वायर से बांधा गया है। सील से छेड़छाड़ किए बिना इसे खोला नहीं जा सकता।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 20 टन तक की रेंज में हैं।

[फा. सं. डब्ल्यू एम-21 (265)/2008]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

**S.O. 2860.**—Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weight and Measures Act, 1976 (60 of 1976) and the Standards of Weight and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over period of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Discontinuous Totalizing Automatic weighing instruments (Totalizing Hopper Weighing-Batching Plant) with digital indication and of Accuracy class-I, series "SP" and with brand name "AQUARIUS" (hereinafter referred to as the said model), manufactured by M/s. Aquarius Engineer Pvt. Ltd., Survey No. 480, 481 and 482, Village: Ambadwet, Tal: Mulsi Dist: Pune and which is assigned the approval mark IND/09/08/369;

The said model is a strain guage type load cell based Discontinuous Totalizing Automatic weighing instrument (Totalizing Hopper Weigher-Batching Plant) with a maximum capacity of 9600 kg. and minimum capacity of 400 kg. The verification scale interval (e) is 2 kg. It has a plant size of 60m<sup>3</sup>/hr of 1.0 m<sup>3</sup> and maximum plant capacity up to 100 m<sup>3</sup>/hr. The machine is designed for weighing and filling the various ingredient used in cement batching plant etc. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on three phase 415 Volts, 50Hertz alternative current power supply.

Figure- 1 Indicator

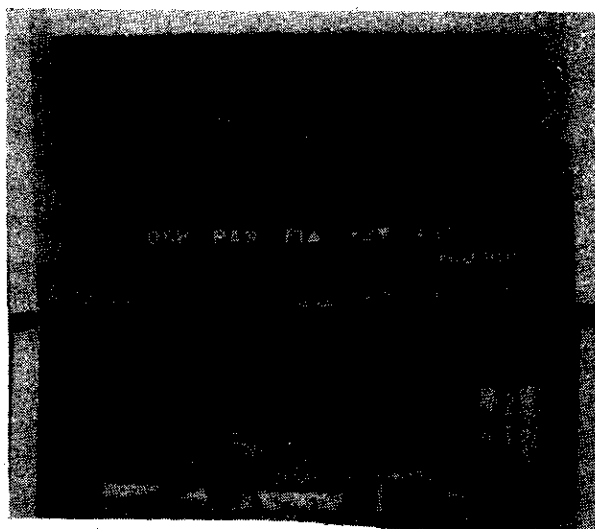


Figure-3 Schematic diagram of sealing arrangement

**Manner and Place of Sealing:** By the rear side of the indicator 2 holes are made one on top right side and one on bottom left side by cutting the outer cover and fastened by a leaded wire for receiving the verification stamp and seal. It cannot be opened without tampering the seal.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity in the range upto 20 tonne manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

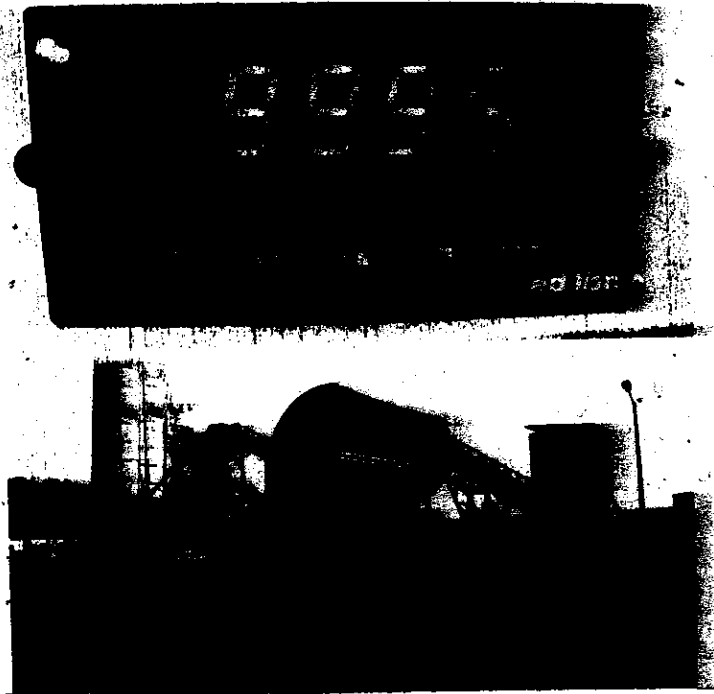
[F. No. WM-21(265)2008]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

क्र.सं. 2861.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एक्वारियस इंजीनियरिंग प्रा. लि., सर्वे नं. 480, 481 और 482, विलेज-अम्बादेवत, तहसील-मुलशी, जिला-पुणे द्वारा विनिर्मित यथार्थता वर्ग 1 वाले "एस पी" शृंखला के डिस्कॉन्टिन्युअस टोटलाइजिंग स्वचालित तोलन उपकरण (टोटलाइजिंग हुपर व्हीयर-बेचिंग प्लांट) अंकित सूचना सहित, के मॉडल का, जिसके ब्रांड का नाम "एक्वारियस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन पत्र आई एन डी/09/08/370 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



आकृति-3 इंडीकेटर के माडल का सीलिंग प्राक्धान

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित डिस्कॉन्टिन्युअस टोटलाइजिंग स्वचालित तोलन उपकरण (टोटलाइजिंग हुपर व्हीयर-बेचिंग प्लांट) है। इसकी अधिकतम क्षमता 2500 कि.ग्रा. है और न्यूनतम क्षमता 200 कि.ग्रा. है। संस्थापन मापमान अंतराल (ई) 1 कि. ग्रा. है। इसका एक 60 m<sup>3</sup>/hr का 1.0 m<sup>3</sup> प्लांट साइज है और अधिकतम प्लांट क्षमता 100 m<sup>3</sup>/hr है। उक्त मशीन को सीमेंट बेचिंग प्लांट आदि में विभिन्न इंग्रिडेंट्स को तोलने और भरने के लिए डिजाइन किया गया है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 415 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

सीलिंग करने का तरीका और स्थान — इंडीकेटर के पिछली तरफ आउटर कवर को काटकर एक ऊपर दायीं तरफ और दूसरा तल में बायीं तरफ दो छेद किए गए हैं और स्ट्राम्प और सील के संस्थापन के लिए इन छेदों को लीड वायर से बांधा गया है। सील से छेद छुड़ा दिए बिना इसे खोला नहीं जा सकता।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यप्रणालन के तोलन उपकरण भी होंगे जो 20 टन तक की रेंज में हैं।

[फा. सं. डब्ल्यू एम-21 (265)/2008]

आर. माधुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

**S.O. 2861.**—Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Discontinuous Totalizing Automatic weighing instrument (Totalizing Hopper Weigher-Batching Plant) with digital indication of Accuracy class-I, series "SP" and with brand name "AQUARIUS" (hereinafter referred to as the said model), manufactured by M/s. Aquarius Engineer Pvt. Ltd., Survey No. 480, 481 and 482, Village: Ambadwet, Tal: Mulhsi, Dist: Pune and which is assigned the approval mark IND/09/08/370;

Figure- I Indicator

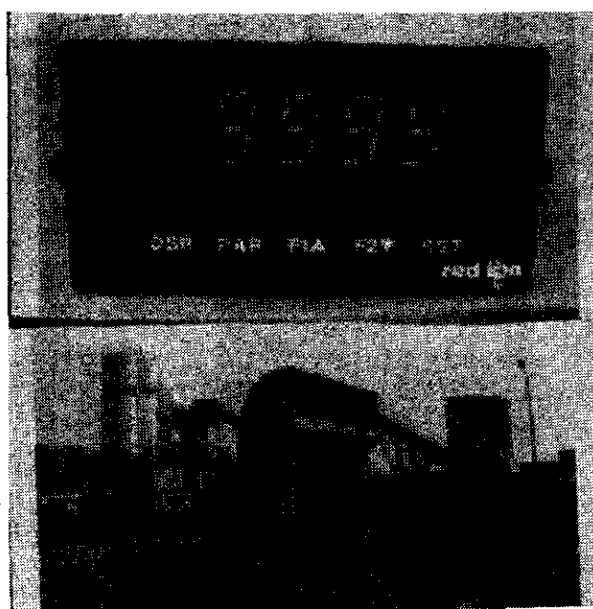


Figure-3 Schematic diagram of sealing arrangement

The said model is a strain guage type load cell based Discontinuous Totalizing Automatic weighing instrument (Totalizing Hopper Weigher-Batching Plant) with a maximum capacity of 2500 kg. and minimum capacity of 200 kg. The verification scale interval (e) is 1 kg. It has a plant size of 60m<sup>3</sup>/hr of 1.0 m<sup>3</sup> and maximum plant capacity up to 100 m<sup>3</sup>/hr. The machine is designed for weighing and filling the various ingredient used in cement batching plant etc. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on three phase 415 Volts, 50Hertz alternative current power supply.

**Manner and Place of Sealing:** By the rear side of the indicator 2 holes are made one on top right side and one on bottom left side by cutting the outer cover and fastened by a leaded wire for receiving the verification stamp and seal. It cannot be opened without tampering the seal.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity in the range upto 20 tonne manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(265)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology



## भारतीय मानक ब्यूरो

नई दिल्ली, 30 सितम्बर, 2009

क्र.अ. 2862.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसार में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :-

## अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (को) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिरिक्त भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1	आई एस 210 : 2009 ग्रे स्टेड की उल्लेख-विनिष्टि (पाचवां पुनरीक्षण)	आई एस 210:1993	31-07-2009

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुंबई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयंबटूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तपुरम में बिछी हेतु उपलब्ध हैं।

[संभव: एमटीडी 6T-6]

श्री पी. घोष, वैज्ञानिक 'ई' एवं प्रमुख (एमटीडी)

## BUREAU OF INDIAN STANDARDS

New Delhi, the 30th September, 2009

S.O. 2862.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each:

## SCHEDULE

Sl. No.	No. & Year of the Indian Standards Established	No. & Year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1	IS 210 : 2009 Grey iron castings (fifth revision)	210: 1993	31 July 2009

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-I 10002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: MTD 6T-6]

SHRI P. GHOSH, Scientist 'E' &amp; Head (MTD)

नई दिल्ली, 5 अक्टूबर, 2009

क्र.अ. 2863.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसार में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :-

## अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (को) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिरिक्त भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आईएस/आईएसओ 2151 : 2004ए (आईएस 11446 : 1985 का अतिरिक्त ध्वनिकी-संपीड़कों और निर्वत फर्म्स का ध्वनि परीक्षण सहित-इंजीनियरिंग पद्धति (ग्रेड 2)	आईएस 11446:1985/आईएस ओ 2151:1972 काहरी उपखण के लिए अभीष्ट संपीड़क इकाईयों द्वारा उल्लेखित अनुबन्धित ध्वनिकी मानक	31 मार्च 2009

(1)	(2)	(3)	(4)
2.	आईएस/आईएसओ 2415:2004 (आई एस 6132: 2003 का अतिक्रमण) उत्थापक प्रयोजनों के लिए फोर्जित शैकल डी शैकल और धनु शैकल	आईएस 6132:2003/आईएसओ 2415:1987 उत्थापक प्रयोजनों के लिए फोर्जित शैकल डी शैकल और धनु शैकल (सम्मिलित आईएस 6132 का भाग 1 भाग 2 और भाग 3)	30 जून 2009
3.	आईएस/आईएसओ 3077: 2001 (आई एस 6216: 1982 का अतिक्रमण) उत्थापक प्रयोजनों के लिए शार्ट लिंक चैन-संकुचित-छूट होस्ट चैन ग्रेड टी(टी, डेट और डीटी प्रकार)	आईएस 6216 : 1982 पुली ब्लॉक और दूसरे उत्थापक उपस्करों के अंशशोधन के लिए शार्ट लिंक चैन, ग्रेड टी (8) (प्रथम पुनरीक्षण)	31 मार्च 2009
4.	आईएस/आईएसओ 3857 : 1977, संपीडक वायुदाब चालित औजार और मशीनें-शब्दावली भाग 1 सामान्य	—	30 अप्रैल 2009
5.	आईएस/आईएसओ 3857-2:1977 (आईएस 5727): 1981 का अतिक्रमण) संपीडक, कंप्रेसर, वायुदाब चालित औजार और मशीनें-शब्दावली भाग 2 संपीडक	आईएस 5727 : 1981/ आईएसओ 3857-2: 1972 संपीडको और निर्वर्तों से संबंधित शब्दावली	30 अप्रैल 2009
6.	आईएस/आईएसओ 4306-3: 2003 (आईएस 13473 (भाग 3) : 1993 का अतिक्रमण) क्रैन-शब्दावली भाग 3 टावर क्रैन	आईएस 13473 (भाग 3): 1993/ आईएसओ 4306-3:1991 क्रैन-शब्दावली भाग 3 टावर क्रैन	31 मार्च 2009
7.	आईएस/आईएसओ 6194-1: 2007 (आईएस 5129 (भाग 1): 2000 का अतिक्रमण) इलास्टोमैरिक सीलिंग घटक को लगाकर रोटरी शाफ्ट लिप टाइप सील भाग 1 अभिहित आयाम और छूटें	आईएस 5129 (भाग 1): 2000 आईएसओ 6194-1: 1982 रोटरी शाफ्ट लिप टाइप सील भाग 1 अभिहित आयाम और छूटें (द्वितीय पुनरीक्षण)	31 मार्च 2009
8.	आईएस/आईएसओ 18652 : 2005 (आईएस 4656:1968 का अतिक्रमण) भवन निर्माण की मशीनरी और उपस्कर कंक्रीट के लिए बाहरी वाइब्रेटर	आईएस 4656 : 1968 कंक्रीट के लिए रूप वाइब्रेटर की विशिष्टि	31 मार्च 2009
9.	आईएस/आईएसओ 22883 : 2004 (आईएस 7261:1985 का अतिक्रमण) कास्टर और व्हील 1.1 मी/से (4 कि मी/घंटा) तक के अनुप्रयोग की अपेक्षाएं	आईएस 7261:1985/आईएसओ 2184 : 1972 कास्टर के ऊपरी प्लेटों के आयाम (प्रथम पुनरीक्षण)	31 मार्च 2009
10.	आईएस/आईएसओ 22884 : 2004 (आईएस 7261 : 1985 का अतिक्रमण) कास्टर और व्हील 1.1 मी/से (4 कि मी/घंटा) से अधिक और 4.4 मी/से (16 कि मी/घंटा) तक के अनुप्रयोग की अपेक्षाएं	आईएस 7261 : 1985/आईएसओ 2184 : 1972 कास्टर के ऊपरी प्लेटों के आयाम (प्रथम पुनरीक्षण)	31 मार्च 2009

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एम ई डी./जी- 2:1]

सी. के. वेदा, वैज्ञ. एफ एवं प्रमुख (यांत्रिक इंजीनियरिंग)

New Delhi, the 5th October, 2009

**S.O. 2863.**—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

## SCHEDULE

Sl. No.	No. & Year of the Indian Standards Established	No. & Year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS/ISO 2151 : 2004 (Superseding IS 11446 : 1985) Acoustics—Noise test code for compressors and vacuum pumps—Engineering method (Grade 2)	IS 11446 : 1985/ISO 2151 : 1972 Measurement of airborne noise emitted by Compressors units intended for outdoor use	31 March 2009
2.	IS/ISO 2415 : 2004 (Superseding IS 6132 : 2003) Forged shackles for general lifting purposes—Dee shackles and bow shackles	IS 6132 : 2003/ISO 2415 : 1987 Forged shackles for general lifting purposes—Dee shackles and bow shackles (Merging IS 6132 Pt 1, Pt 2 and Pt 3)	30 June 2009
3.	IS/ISO 3077 : 2001 (Superseding IS 6216 : 1982) Short link chain for lifting purposes—Grade T (Types T, DAT and DT), Fine-Tolerance hoist chain	IS 6216 : 1982 Short link chain, Grade T (8) Calibrated for pulley block and other lifting appliances (first revision)	31 March 2009
4.	IS/ISO 3857-1 : 1977 Compressors, pneumatic tools and machines—Vocabulary Part 1 General	—	30 April 2009
5.	IS/ISO 3857-2 : 1977 (Superseding IS 5727 : 1981) Compressors, pneumatic tools and machines—Vocabulary Part 1 Compressors	IS 5727 : 1981/ISO 3857-2 : 1972 Glossary of terms related to compressors and exhausters (first revision)	31 March 2009
6.	IS/ISO 4306-3 : 2003 [Superseding IS 13473(Pt 3) : 1993] Cranes—Vocabulary Part 3 Tower cranes	IS 13473(Pt 3) : 1993/ISO 4306-3 : 1991 Cranes—Vocabulary Part 3 Tower Cranes	31 March 2009
7.	IS/ISO 6194-1 : 2007 [Superseding IS 5129(Pt 1) : 2000] Rotary shaft lip-Type seals incorporating Elastomeric sealing elements Part 1 Nominal dimensions and tolerances	IS 5129 (Pt 1) : 2000/ISO 6194-1 : 1982 Rotary shaft lip-Type seals—Part 1 Nominal dimensions and tolerances (second revision)	31 March 2009
8.	IS/ISO 18652 : 2005 (Superseding IS 4656 : 1968) Building construction machinery and equipment—External vibrators for concrete	IS 4656 1968 : Specification for form vibrator and concrete	31 March 2009
9.	IS/ISO 22883 : 2004 (Superseding IS 7261 : 1985) Castor and wheels—Requirements for applications up to 1.1 m/s (4 km/h)	IS 7261 : 1985/ISO 2184 : 1972 Dimension of top-plates and castors (first revision)	31 March 2009
10.	IS/ISO 22884 : 2004 (Superseding IS 7261 : 1985) Castor and wheels—Requirements for applications over 1.1 m/s (4 km/h) and up to 4.4 m/s (16 km/h)	IS 7261 : 1985 : ISO 2184 : 1972 Dimension of top-plates and castors first revision	31 March 2009

Copy of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices: New Delhi, Kolkatta, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalor, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: MED/G-2 : 1]

C. K. VEDA, Sc. F & Head (Mechanical Engineering)

नई दिल्ली, 5 अक्टूबर, 2009

का.आ. 2864.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए मानक (कों) में संशोधन किया गया/किये गये हैं:

## अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 3196 (भाग 1) : 2006 अल्प दाब द्रवणीय गैसों के लिए 5 लिटर से अधिक जल क्षमता वाले वेल्डेड अल्प कार्बन इस्पात के सिलिंडर भाग 1 द्रवित पेट्रोलियम गैस (एल पी जी) के लिए सिलिंडर की विशिष्टि (पाचवां पुनरीक्षण)	संशोधन नं. 3 अगस्त 2009	10 सितम्बर 2009
2.	आई एस 12300 : 1988 रेफ्रीजरेंट सिलिंडरों की वाल्व फिटिंग्स-विशिष्टि	संशोधन नं. 5 अगस्त 2009	09 सितम्बर 2009

इस संशोधन की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जबपुर, कानपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ एमईडी/जी-2:1]

[सी. के. वेदा, वैज्ञ. एफ एवं प्रमुख (यांत्रिक इंजीनियरिंग)]

New Delhi, the 5th October, 2009

S.O. 2864.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

## SCHEDULE

Sl. No.	No. and Year of the Indian Standards	No. and Year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 3196 (Part 1) : 2006 Welded low carbon cylinders exceeding 5 litre water capacity for low pressure liquefiable gases Part 1 Cylinders for liquefied petroleum gases (LPG)—Specification (fifth revision)	Amendment No. 3 August 2009	10 September 2009
2.	IS 12300 : 1988 Valve fittings for refrigerant cylinders—Specification	Amendment No. 5 August 2009	09 September 2009

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices: New Delhi, Kolkatta, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: MED/G-2:1]

C. K. VEDA, Sc. F &amp; Head (Mechanical Engineering)

## कोयला मंत्रालय

नई दिल्ली, 13 अक्टूबर, 2009

का.आ. 2865.—केन्द्रीय सरकार को यह प्रतीत होता है कि, इससे उपाबद्ध अनुसूची में उल्लिखित अवस्थान की भूमि में कोयला अभिप्राप्त किए जाने की संभावना है;

अतः अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस क्षेत्र में कोयले का पूर्वक्षण करने के अपने आशय की सूचना देती है;

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं. एसईसीएल/बीएसपी/सीजीएम (पीएलजी)/भूमि/09/346 तारीख 25 जून, 2009 का निरीक्षण कलेक्टर, उमरिया (म.प्र.) के कार्यालय में या कोयला नियंत्रक, 1, कार्डसिल हाऊस स्ट्रीट, कोलकाता-700001 के कार्यालय में या साऊथ ईस्टर्न कोलफील्ड्स लिमिटेड (राजस्व अनुभाग), सीपत रोड, बिलासपुर-495006 (छत्तीसगढ़) के कार्यालय में किया जा सकता है।

इस अधिसूचना के अन्तर्गत आने वाली भूमि में हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से 90 (नब्बे) दिन के भीतर, भारसाधक अधिकारी या विभागाध्यक्ष (राजस्व), साऊथ ईस्टर्न कोलफील्ड्स लिमिटेड, सीपत रोड, बिलासपुर-495006 (छत्तीसगढ़) को भेजेंगे।

### अनुसूची

कुदरी खुली खदान ब्लॉक, जोहिला क्षेत्र  
जिला-उमरिया (म.प्र.)

रेखांक संख्या-एसईसीएल/बीएसपी/सीजीएम (पीएलजी)/भूमि/09/346 तारीख 25 जून, 2009 (पूर्वक्षण के लिए अधिसूचना भूमि दर्शाते हुए)

#### ब्लॉक-क :

क्रम सं.	ग्राम का नाम	पटवारी हल्का संख्या	साधारण संख्या	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पण
1.	कुदरी	95	104	बांधवगढ़	उमरिया	123.00	भाग
2.	खोदरगंवा	95	156	बांधवगढ़	उमरिया	4.500	भाग

कुल क्षेत्र : -127.500 हेक्टर (लगभग) या 315.05 एकड़ (लगभग)

#### ब्लॉक-ख :

क्रम सं.	ग्राम का नाम	पटवारी हल्का संख्या	साधारण संख्या	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पण
1.	खोदरगंवा	95	156	बांधवगढ़	उमरिया	8.000	भाग

कुल क्षेत्र : -8.000 हेक्टर (लगभग) या 19.77 एकड़ (लगभग)

कुल योग (क+ख) : -135.500 हेक्टर (लगभग)

या 334.82 एकड़ (लगभग)

### सीमा वर्णन

#### ब्लॉक-क :

- क-ख रेखा ग्राम कुदरी में बिन्दु "क" से आरंभ होती है और ग्राम कुदरी से होती हुई जाती है फिर ग्राम खोदरगंवा में प्रवेश कर जाती है और बिन्दु "ख" पर मिलती है।
- ख-ग रेखा ग्राम खोदरगंवा के दक्षिणी भाग से होती हुई जाती है और ग्राम खोदरगंवा-कुदरी के सम्मिलित सीमा पर बिन्दु "ग" पर मिलती है।
- ग-घ-ङ रेखा ग्राम कुदरी के पूर्वी भाग से बिन्दु "घ" से होती हुई जाती है और ग्राम कुदरी में बिन्दु "ङ" पर मिलती है।

ड-च रेखा ग्राम कुदरी से होती हुई जाती है और बिन्दु "च" पर मिलती है।

च-छ-क रेखा ग्राम कुदरी के पश्चिमी भाग से बिन्दु "छ" से होती हुई जाती है और ग्राम कुदरी में आरंभिक बिन्दु "क" पर मिलती है।

**ब्लॉक-ख :**

क 1-ख 1 रेखा ग्राम खोदरगंवा के केन्द्रीय भाग में बिन्दु "क 1" से आरम्भ होती है और उसी ग्राम से होती हुई जाती है और बिन्दु "ख 1" पर मिलती है।

ख 1-ग 1 रेखा ग्राम खोदरगंवा के पूर्वी भाग से होती हुई जाती है और बिन्दु "ग 1" पर मिलती है।

ग 1-घ 1 रेखा ग्राम खोदरगंवा में रेखा क 1-ख 1 के समानान्तर गुजरती है और बिन्दु "घ 1" पर मिलती है।

घ 1-क 1 रेखा ग्राम खोदरगंवा से होती हुई जाती है और आरंभिक बिन्दु "क 1" में मिलती है।

[फा. सं.-43015/22/2009-पी.आर.आई. डब्ल्यू.-1]

एम. शहाबुद्दीन, अवर सचिव

### MINISTRY OF COAL

New Delhi, the 13th October, 2009

**S.O. 2865.**—Whereas it appears to the Central Government that coal is likely to be obtained from the lands in the locality mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein;

The plan bearing number SECL/BSP/CGM (Plg)/Land/09/346 dated the 25th June, 2009 of the area covered by this notification can be inspected at the office of the Collector, Umaria (Madhya Pradesh) or in the office of the Coal Controller, 1, Council House Street, Kolkata-700001 or in the office of the South Eastern Coalfields Limited (Revenue Section), Seepat Road, Bilaspur-495006 (Chhattisgarh).

All persons interested in the land covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of Section 13 of the said Act to the Officer-in-Charge or Head of the Department (Revenue), South Eastern Coalfields Limited, Seepat Road, Bilaspur-495006 (Chhattisgarh), within 90 (ninety) days from the date of publication of this notification in the Official Gazette.

### SCHEDULE

Kudari Opencast Block, Johilla Area  
District-Umaria (Madhya Pradesh)

#### All Rights

Plan number SECL/BSP/CGM (Plg)/Land/09/346 dated the 25th June, 2009

(Showing the land notified for prospecting)

#### Black-A :

Sl. No.	Name of village	Patwari Halka number	General number	Tahsil	District	Area in hectares	Remarks
01.	Kudari	95	104	Bandhogarh	Umaria	123.000	Part
02.	Khodargawan	95	156	Bandhogarh	Umaria	4.500	Part

Total :—127.500 hectares (Approximately) or 315.05 acres (Approximately)

#### Black-B :

Sl. No.	Name of village	Patwari Halka number	General number	Tahsil	District	Area in hectares	Remarks
01.	Khodargawan	95	156	Bandhogarh	Umaria	8.000	Part

Total :—8.000 hectares (Approximately) or 19.77 acres (Approximately)

Grand Total (A+B) : 135.500 hectares (Approximately)  
or 334.82 acres (Approximately)

### Block—A

- ### Block-B

- M. SHAHABUDEEN, Under Secy.**

नई दिल्ली, 13 अक्टूबर, 2009

[illegible]

## (ख) ब्लाक-II:

क्रम सं.	ग्राम का नाम	बंदोबस्त संख्या	पटवारी हल्का संख्या	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पणियाँ
1.	छिरिहटी	316	99	सोहागपुर	शहडोल	111.000	भाग
2.	सिरौंजा	988	99	सोहागपुर	शहडोल	311.000	भाग
3.	धमनी खर्द	468	95	सोहागपुर	शहडोल	122.000	भाग
कुल क्षेत्र : -544.000 हेक्टर (लगभग) या 1344.22 एकड़ (लगभग)							
कुल योग (क+ख) : -685.000 हेक्टर (लगभग)							
या 1692.63 एकड़ (लगभग)							

## सीमा बर्णन :-

## ब्लाक-I

- क-ख रेखा ग्राम खैरहा में बिन्दु 'क' से आरंभ होती है और ग्राम खैरहा के पूर्वी भाग से गुजरती हुई ग्राम खन्नाथ में प्रवेश कर ग्राम के मध्य भाग से होती हुई बिन्दु 'ख' पर मिलती है।
- ख-ग रेखा ग्राम खन्नाथ के उत्तरी भाग से आरम्भ होती है और ग्राम खन्नाथ-बरतारा की सम्मिलित सीमा में बिन्दु 'ग' पर मिलती है।
- ग-घ रेखा ग्राम खन्नाथ के पूर्वी भाग से होती हुई ग्राम छिरिहटी में प्रवेश कर ग्राम के पश्चिमी भाग से गुजरती हुई ग्राम छिरिहटी-कदोहा की सम्मिलित सीमा में बिन्दु 'घ' पर मिलती है।
- घ-क रेखा ग्राम छिरिहटी-कदोहा की भागत सम्मिलित सीमा से होती हुई जाती है फिर ग्राम खैरहा में प्रवेश कर ग्राम खैरहा से गुजरती हुई आरंभिक बिन्दु 'क' पर मिलती है।

## ब्लाक-II

- ड-च रेखा ग्राम छिरिहटी-कदोहा की सम्मिलित सीमा पर बिन्दु 'ड' से आरंभ होती है और ग्राम छिरिहटी से गुजरती है फिर ग्राम सिरौंजा में प्रवेश कर ग्राम सिरौंजा से होती हुई बिन्दु 'च' पर मिलती है।
- च-छ रेखा ग्राम सिरौंजा-देवगवा की सम्मिलित सीमा के साथ जाती है और बिन्दु 'छ' पर मिलती है।
- छ-ज रेखा ग्राम सिरौंजा-अरझुला की भागत: सम्मिलित सीमा से होती हुई जाती है फिर ग्राम धमनीखुर्द में प्रवेश कर ग्राम धमनीखुर्द से गुजरती है और ग्राम धमनीखुर्द-धमनीकला-कदोहा की सम्मिलित सीमा में बिन्दु 'ज' पर मिलती है।
- ज-ड रेखा ग्राम कदोहा-धमनीखुर्द, कदोहा-छिरिहटी की सम्मिलित सीमा से जाती है और आरंभिक बिन्दु 'ड' पर मिलती है।

[फा. सं. 43015/26/2009-पी.आर.आई. डब्ल्यू.-1]

एम. शहाबुद्दीन, अवर सचिव

New Delhi, the 13th October, 2009

S.O. 2866.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands in the locality mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan bearing number SECL BSP/ GM (PLG)/ LAND/ 35 I dated the 6th August, 2009 of the area covered by this notification can be inspected at the office of the Collector, Shahdol (Madhya Pradesh) or at the office of the Coal Controller, I, Council House Street, Kolkata-700001 or at the office of the South Eastern Coalfields Limited (Revenue Section), Seepat Road, Bilaspur - 495006 (Chhattisgarh).

All persons interested in the land covered by this notification shall deliver all maps, Charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Officer- In - Charge or Head of the Department (Revenue Section), South Eastern Coalfields Limited, Seepat Road, Bilaspur - 495006 (Chhattisgarh), within ninety days from the date of publication of this notification in the Official Gazette.



**SCHEDULE****Karkati Block Extension,  
Sohagpur Area District-Shahdol,  
Madhya Pradesh**(Plan bearing number SECL/BSP/GM (PLG)/LAND/351 dated the 6<sup>th</sup> August, 2009)**(A) Block-I**

Sl. No	Name of village	Bandobast No.	Patwari halka number	Tahsil	District	Area in hectares	Remarks
1.	Khannath	171	93	Sohagpur	Shahdol	88.000	Part
2.	Khairaha	203	93	Sohagpur	Shahdol	8.000	Part
3.	Chhirihati	316	99	Sohagpur	Shahdol	45.000	Part

Total:-141.000 hectares (Approximately) OR 348.41 acres (Approximately)

**Block-B-II:**

Sl. No.	Name of village	Bandobast number	Patwari halka number	Tahsil	District	Area in hectares	Remarks
1.	Chhirihati	316	99	Sohagpur	Shahdol	111.000	Part
2.	Sirounja	988	99	Sohagpur	Shahdol	311.000	Part
3.	Dhemni Khurd	468	95	Sohagpur	Shahdol	122.000	Part

Total:—544.000 hectares (Approximately) OR 344.22 acres (Approximately)

Grand Total (A+B) = 685.00 hectares (Approximately)

Or 1692.63 Acres (Approximately)

**BOUNDARY****DESCRIPTION: Block-I**

- A-B Line starts from point 'A' in village Khairaha and passes through eastern part of the same village then enter in village Khannath and passes through middle part of the village and meets at point 'B'.
- B-C Line passes through northern part of village Khannath and meets at point 'C' on the common boundary of villages Khannath - Bartara.
- C-D Line passes through eastern part of village Khannath then enter and passes through western part of village Chhirihati and meets at point 'D' on the common boundary of villages Chhirihati - Kadaha.
- D-A Line passes along partly common boundary of villages Chhirihati - Kadaha then enter and passes through village Khairaha and meets at starting point 'A'.

**Block-II**

- E-F Line starts from point 'E' on the common boundary of villages Chhirihati Kadaha and passes through village Chhirihati then enter and passes through village Sirounja and meets at point 'F'.
- F-G Line passes along common boundary of villages Sirounja-Deogawa and meets at point 'G'.
- G-H Line passes along partly common boundary of villages Sirounja-Arjhula then enter and passes through village Dhamni Khurd and meets at point 'H' on the common boundary of villages Dhamni Khurd-Dhamnikala-. Kadaha.
- H-E Line passes along common boundary of villages Kadaha-Dhamni Khurd, Kadaha-Chhirihati and meets at starting point 'E'.

[File No. 43015/26/2009-PRIW-I]

M. SHAHABUDEEN, Under Secy.

नई दिल्ली, 13 अक्टूबर, 2009

का.आ. 2867.—केन्द्रीय सरकार को यह प्रतीत होता है कि, इससे उपाबद्ध अनुसूची में उल्लिखित परिक्षेत्र की भूमि में कोयला अभिप्राप्त किए जाने की संभावना है;

अतः अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस क्षेत्र में कोयले का पूर्वेक्षण करने के अपने आशय की सूचना देती है;

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं. एसईसीएल/बीएसपी/जीएम (पीएलजी)/भूमि/345 तारीख 25 जून, 2009 का निरीक्षण कलेक्टर, कोरबा (छत्तीसगढ़) के कार्यालय में या कोयला नियंत्रक, 1, कार्टसिल हाऊस स्ट्रीट, कोलकाता-700001 के कार्यालय में या साऊथ ईस्टर्न कोलफील्ड्स लिमिटेड (राजस्व अनुभाग), सीपत रोड, बिलासपुर-495006 (छत्तीसगढ़) के कार्यालय में किया जा सकता है।

इस अधिसूचना के अन्तर्गत आने वाली भूमि में हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिन के भीतर, भारसाधक अधिकारी या विभागाध्यक्ष (राजस्व), साऊथ ईस्टर्न कोलफील्ड्स लिमिटेड, सीपत रोड, बिलासपुर-495006 (छत्तीसगढ़) को भेजेंगे।

## अनुसूची

सरईपाली खुली खदान (पहला विस्तार) कोयला, ब्लॉक कोरबा क्षेत्र जिला-कोरबा (छत्तीसगढ़)

(रेखांक संख्या-एसईसीएल/बीएसपी/जीएम (पीएलजी)/भूमि/345 तारीख 25 जून, 2009)

क्रम सं.	ग्राम का नाम	पटवारी हल्का संख्या	पटवारी ग्राम संख्या	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पणियाँ
1.	बुडबुड	09	66	पाली	कोरबा	41.280	भाग
2.	राहाडीह	09	68	पाली	कोरबा	4.720	भाग
कुल क्षेत्र : -46.000 हेक्टर (लगभग) या 113.67 एकड़ (लगभग)							

## सीमा वर्णन :-

## ब्लॉक-1

- क-ख रेखा ग्राम बुडबुड में बिन्दु "क" से आरंभ होती है और ग्राम बुडबुड के उत्तरी भाग से गुजरती है और बिन्दु "ख" पर मिलती है।  
ख-क रेखा ग्राम बुडबुड से गुजरती है और आरंभिक बिन्दु "क" पर मिलती है।

## ब्लॉक-2

- ग-घ रेखा ग्राम बुडबुड में "ग" बिन्दु से आरंभ होती है और ग्राम बुडबुड के पश्चिमी भाग से गुजरती है और बिन्दु "घ" पर मिलती है।  
घ-ग रेखा ग्राम बुडबुड-दुकुपथरा की सम्मिलित सीमा से होकर जाती है और आरंभिक बिन्दु "ग" पर मिलती है।

## ब्लॉक-3

- ङ-च रेखा ग्राम बुडबुड में "ङ" बिन्दु से आरंभ होती है और ग्राम बुडबुड के दक्षिणी भाग से गुजरती है और बिन्दु "च" पर मिलती है।  
च-ङ रेखा ग्राम बुडबुड-बेलीकार की सम्मिलित सीमा के पश्चिम से जाती है और आरंभिक बिन्दु "ङ" पर मिलती है।

## ब्लॉक-4

- छ-ज रेखा ग्राम बुडबुड में "छ" बिन्दु से आरंभ होती है और ग्राम बुडबुड के उत्तरी और पूर्वी भाग से गुजरती है और बिन्दु "ज" पर मिलती है।  
ज-छ रेखा ग्राम बुडबुड से होती हुई जाती है और आरंभिक बिन्दु "छ" पर मिलती है।

## ब्लॉक-5

- झ-ञ रेखा ग्राम बुडबुड-राहाडीह की सम्मिलित सीमा में "झ" बिन्दु से आरंभ होती है और ग्राम राहाडीह के पश्चिमी भाग से गुजरती है और बिन्दु "ञ" पर मिलती है।  
ञ-झ रेखा ग्राम राहाडीह से होती हुई जाती है और आरंभिक बिन्दु "झ" पर मिलती है।

[फा. सं. 43015/20/2009-पी.आर.आई. डब्ल्यू.-1]

एम. शहाबुद्दीन, अवर सचिव

New Delhi, the 13th October, 2009

**S.O. 2867.**— Whereas it appears to the Central Government that coal is likely to be obtained from the lands in the locality mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan bearing number SECL/BSP/GM(PLG)/LAND/ 345 dated the 25th June, 2009 of the area covered by this notification can be inspected in the office of the Collector, Korba (CG.) or in the office of the Coal Controller, 1, Council House Street, Kolkata-700001 or in the office of the South Eastern Coalfields Limited (Revenue Section), Seepat Road, Bilaspur -495006 (Chhattisgarh).

All persons interested in the land covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of Section 13 of the said Act to the Officer- in - Charge or Head of the Department (Revenue), South Eastern Coalfields Limited, Seepat Road, Bilaspur - 495006 (Chhattisgarh), within ninety days from the date of publication of this notification in the Official Gazette.

**SCHEDULE**

Saraipali OC (1st Extension) Coal Block, Korba Area, District- Korba (CG.)

Plan number SECL/BSP/GM(PLG)/LAND/ 345 dated the 25th June, 2009

Sl. No.	Name of village	Patwari halka number	Village No.	Tahsil	District	Area in hectares	Remarks
1.	Budbud	09	66	Pali	Korba	41.280	Part
2.	Rahadih	09	68	Pali	Korba	4.720	Part

Total:-46.000 hectares (Approximately) OR 113.67 acres (Approximately)

**BOUNDARY DESCRIPTION:****Block -1**

A-B Line starts from point 'A' in village Budbud and passes through the northern part of village Budbud and meets at point 'B'.

B-A Line passes through village Budbud and meets at starting point 'A'

**Block - 2**

C-D Line starts from point 'C' in village Budbud and passes through western part of village Budbud and meets at point 'D'.

D-C Line passes along common boundary of villages Dhukupathra - Budbud and meets at starting point 'C'.

**Block - 3**

E-F Line starts from point 'E' in village Budbud and passes through southern part of village Budbud and meets at point 'F'.

F-E Line passes adjacent to common boundary of villages Telapar - Budbud and meets at starting point 'E'.

**Block-4**

G-H Line starts from point 'G' in village Budbud and passes through northern and eastern part of village Budbud and meets at point 'F'.

H-G Line passes through village Budbud and meets at starting point 'G'

**Block-5**

I-J Line starts from point 'I' on the common boundary of villages Rahadih Budbud and passes through western part of village Rahadih and meets at point 'J'.

J-I Line passes through village Rahadih and meets at starting point 'I'.

[No. 43015/20/2009-PRW-I]

M. SHAHABUDEEN, Under Secy.

**पेट्रोलियम और प्राकृतिक गैस मंत्रालय**

नई दिल्ली, 15 अक्टूबर, 2009

**क्र. अ. 2868.**—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि गुजरात राज्य में वाडीनार से मध्यप्रदेश राज्य में बीना तक कूड ऑयल के परिवहन हेतु भारत ओमान रिफाइनरीज लिमिटेड द्वारा एक पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जो इससे उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती है, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाई जाने के लिए उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्री एस. के. ब्रह्मभट्ट, सक्षम प्राधिकारी, वाडीनार बीना कूड ऑयल पाइपलाइन परियोजना, भारत ओमान रिफाइनरीज लिमिटेड, 14, 14-A कृष्णा बंग्लोज, प्रहलादनगर, अहमदाबाद - 380051 (गुजरात) को लिखित रूप में आक्षेप भेज सकेगा।

**अनुसूची****तहसील : लिंबडी****जिला : सुरेन्द्रनगर****राज्य : गुजरात**

क्र.	गांव का नाम	सर्वे नंबर	क्षेत्रफल हेक्टेयर में
1	2	3	4
1.	रासका	15 पैकी	00.0450
		16 पैकी	00.2145
		37 पैकी	00.0870
		14 पैकी	00.0360
		14 पैकी / 2	00.1620
		13 पैकी	00.0900
		39 / 1	00.1068
		35	00.1080
		236	00.1471

1	2	3	4
1.	रासका	243 पैकी	00.0180
		243 पैकी	00.0060
		38	00.0135
2.	लिंबडी	586 / 2	00.3850
3.	अंकेवालिया	224	00.3250
		253	00.0795
		314/1 पैकी	00.0885
		323	00.1380
4.	भलगामडा	292	00.0006
		288	00.0010
		161	00.0080
		1229	00.0040
		296 पैकी 4	00.1700
		279	00.0600
5.	चोरणीया	63 पैकी	00.0020
6.	जाखन	217 / 2	00.1260
7.	कटारिया	177 / 1	00.0088
8.	टीकराला	302 / 1	00.0710
		78 / 2	00.0914
		103 पैकी	00.1325
9.	रलोल	734	00.0987
		744 पैकी	00.1200
		744/2 पैकी	00.0937
		825/1	00.0415
10.	जालमपुर	666/2	00.0534
		666/1/1	00.2760
		666/1/2	00.2580
11.	जनशाली	50	00.0772
		128	00.0455
		112	00.0040

**Ministry of Petroleum and Natural Gas**

New Delhi, the 15th October, 2009

S. O. 2868.—Whereas it appears to the Central Government that it is necessary in the public interest that for transportation of crude oil from Vadinar in the State of Gujarat to Bina in the state of Madhya Pradesh, a pipeline should be laid by Bharat Oman Refineries Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may, within twenty One days from the date on which copies of the Gazette of India containing this Notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri S. K. Brahmhatt, Competent Authority, Vadinar-Bina Crude Oil Pipeline Project, Bharat Oman Refineries Limited, 14 & 14-A Krishna Bungalow, Near Prahladnagar, B/h. V.S.N.L., Bldg., Ahmedabad – 380 051 (Gujarat).

**SCHEDULE****TEHSIL : LIMBDI****DISTRICT : SURENDRANAGAR****STATE : GUJARAT**

<b>S. No.</b>	<b>Name of Village</b>	<b>Survey No.</b>	<b>Area in Hectare</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
1.	Raska	15 P	00.0450
		16 P	00.2145
		37 P	00.0870
		14 P	00.0360
		14 P/ 2	00.1620
		13 P	00.0900
		39/1	00.1068
		35	00.1080
		236	00.1471
		243 P	00.0180
		243 P	00.0060
		38	00.0135
2.	Limbdi	586 / 2	00.3850
3.	Ankewaliya	224	00.3250
		253	00.0795
		314/1 P	00.0885
		323	00.1380
4.	Bhaigamda	292	00.0006
		288	00.0010
		161	00.0080
		1229	00.0040
		296 / P4	00.1700
		279	00.0600
5.	Choraniya	63 P	00.0020
6.	Jakhan	217/2	00.1260
7.	Katariya	177 / 1	00.0088

1	2	3	4
8.	Tokrala	302/1	00.0710
		78 / 2	00.0914
		103 P	00.1325
9.	Ralol	734	00.0987
		744 P	00.1200
		744/2 P	00.0937
		825/1	00.0415
10.	Jalampur	666/2	00.0534
		666/1/1	00.2760
		666/1/2	00.2580
11.	Janshali	50	00.0772
		128	00.0455
		112	00.0040

[F. No. R-31015/44/2009-O.R.-II]

A. GOSWAMI, Under Secy

नई दिल्ली, 15 अक्टूबर, 2009

का. आ. 2869,— केन्द्रीय सरकार ने पेट्रोलियम और प्राकृतिक गैस मंत्रालय के का.आ. 1781 दिनांक 19.06.09, द्वारा पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे उसके पश्चात् उक्त अधिनियम कहा जायेगा) की धारा 3(1) के अधीन अधिसूचना प्रकाशित कर, रमन मंडी (पंजाब राज्य में) से बहादुरगढ़ (हरियाणा राज्य में) तक, पेट्रोलियम उत्पाद के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा "जी जी एस आर उत्पाद निष्क्रमण परियोजना रमन मंडी से बहादुरगढ़ पेट्रोलियम पाइपलाइन" के सम्बन्ध में उक्त अधिसूचना से संलग्न अनुसूची में निर्दिष्ट तहसील सिरसा जिला सिरसा राज्य हरियाणा की भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी,

और, उक्त अधिसूचना की प्रतियां जनता को दिनांक 09.08.2009 को उपलब्ध करा दी गई थी,

और, उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से उपाबद्ध अनुसूची में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये घोषणा करती है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाता है।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।



## अनुसूची

तहसील : सिरसा		जिला : सिरसा		राज्य : हरियाणा		
गाँव का नाम	हदबस्त संख्या	मुस्ततिल संख्या	खसरा/ किला संख्या	क्षेत्रफल		
				हेक्टेयर	एयर	वर्गमीटर
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. सूरतिया	168	27	6/1	00	10	87
			6/2	00	01	51
			7	00	12	39
			8	00	04	04
			15	00	00	25
		28	9	00	03	54
			10/1	00	05	06
			10/2/1	00	01	01
			10/2/2	00	04	04
			11	00	02	27
			12	00	09	10
			13	00	12	90
			14/1	00	08	34
			14/2	00	02	02
			15	00	00	25
			16/1	00	00	75
			16/2	00	02	27
			16/3	00	09	10
			17	00	03	03
		29	19	00	02	78
			20/1	00	07	59
			20/2	00	05	56
			21	00	00	25
			22	00	10	37
			23	00	12	90
			24	00	07	08
		45	1	00	11	13
			10	00	11	13
			11	00	03	28
			नहर	00	10	62
			20	00	07	33
			21	00	11	13

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		46	4	00	03	79
			5	00	12	14
		60	1	00	10	62
			9	00	00	25
			10	00	11	63
			11	00	03	28
			12	00	12	39
			13	00	07	84
			सड़क	00	05	06
			14	00	11	63
			15	00	02	78
			16	00	09	10
			17	00	01	01
		61	17	00	01	01
			18	00	09	61
			19	00	11	63
			20	00	12	65
			23	00	02	78
			24/1	00	11	63
			25/2	00	12	39
		62	21	00	12	90
			22/1	00	00	25
			22/2	00	05	06
			23	00	00	25
		72	1	00	01	51
			10	00	12	65
			11/1	00	03	79
			11/2	00	06	57
			12/2	00	03	28
			19/1	00	02	02
			19/2	00	10	62
			20	00	00	25
			22	00	07	08
			23	00	05	81
		73	1/2	00	00	25
			2/1	00	00	25
			2/2	00	03	28

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		73	2/3	00	03	54
			3/1	00	06	57
			3/2	00	06	57
			4	00	09	86
			5	00	11	89
			6/1	00	00	50
		93	3	00	12	14
			7	00	08	60
			8/1	00	02	27
			8/2	00	01	26
			8/3	00	00	25
			14	00	12	39
			15	00	00	25
			16	00	10	12
			17	00	02	27
			25	00	11	63
		94	21	00	01	51
		99	1	00	10	12
			सड़क	00	05	31
			9	00	03	28
			10	00	06	57
			11	00	00	25
			12	00	12	90
			18	00	06	57
			19/1	00	06	83
			19/2	00	00	25
			23	00	10	62
		100	5	00	00	75
		124	3	00	04	30
			4	00	08	34
			6	00	00	25
			7	00	12	65
			14	00	01	77
			15	00	11	38
			16	00	10	12
			25	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		125	20	00	02	02
			21	00	10	12
			22/2	00	02	02
		127	21	00	04	55
			25	00	10	62
		128	1	00	01	77
			2	00	13	91
			3	00	00	25
			8	00	11	63
			9/1	00	03	54
			9/2	00	00	25
			13	00	06	07
			14	00	09	36
			16	00	07	08
			17	00	08	60
		156	1	00	13	15
			2/1	00	02	78
			8	00	01	01
			9	00	14	42
			10	00	00	25
			12	00	00	75
			13	00	05	31
			221	00	01	01
			271	00	02	27
			273	00	03	03
			289	00	00	50
			294	00	00	75
			295	00	01	25
			308	00	00	75
			309	00	03	03
			533	00	01	26
			722	00	01	01
			729	00	02	53
			745	00	00	75
2. सिंगपुरा	325	59	20	00	06	32
			21/1	00	05	81

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		59	21/2	00	02	78
			22	00	11	38
			23	00	00	25
		60	7	00	02	78
			13	00	07	59
			14	00	14	42
			15/1	00	01	26
			16/1	00	00	50
			16/2	00	12	90
			17	00	00	50
		64	2	00	02	53
			3	00	14	16
			4	00	03	28
			6/1	00	02	27
			6/2	00	04	80
			7	00	10	87
			8	00	00	25
			15	00	05	06
		65	11/1	00	10	37
			11/2	00	01	77
			12	00	00	25
			18	00	04	30
			19	00	13	40
			20	00	00	50
			23	00	08	34
			24	00	11	89
			25	00	00	25
		79	21	00	07	59
			22/2	00	00	75
		80	1	00	04	04
			9	00	09	86
			10	00	10	87
			12	00	05	31
			13	00	13	91
			14/1	00	01	51
			16	00	08	09

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		80	17	00	12	90
			18	00	00	25
			25	00	06	83
		81	4	00	03	03
			5/1	00	05	81
			5/2	00	06	83
		89	1/2	00	04	55
			2/1	00	07	59
			2/2	00	06	83
			3	00	05	56
			6	00	00	25
			7	00	11	63
			8	00	08	85
			14	00	02	02
			15	00	13	91
			16	00	00	25
		90	11	00	03	03
			19/1	00	02	78
			19/2	00	05	06
			20	00	10	62
			22	00	04	30
			23	00	14	16
			24	00	02	78
		99	21	00	09	61
		100	9	00	01	51
			10	00	14	42
			11	00	00	50
			12	00	12	90
			13	00	07	59
			16	00	00	75
			17	00	13	66
			18	00	06	83
			24	00	00	25
			25	00	12	14

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		101	4	00	11	89
			5	00	08	85
			6	00	05	31
		112	1	00	04	55
			2	00	10	12
			3	00	05	56
			6	00	00	25
			7	00	11	63
			8	00	10	12
			14	00	02	02
			15	00	13	66
		113	11	00	06	57
			18/3	00	00	75
			18/4	00	01	01
			19	00	13	66
			20	00	07	84
			22	00	00	50
			23/1	00	00	25
			23/2	00	11	63
			24/1	00	00	50
			24/2	00	08	85
		117	20	00	00	25
			21/2	00	10	12
			22	00	03	28
		118	1	00	03	54
			8	00	00	25
			9	00	11	38
			10	00	10	62
			12	00	02	27
			13	00	13	91
			14	00	05	81
			16/2	00	12	90
			17	00	08	85
			25/1	00	00	50
			25/2	00	00	75

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		119	4	00	04	80
			5	00	14	16
			6/1	00	00	25
		131	2	00	12	14
			3	00	07	08
			7	00	10	62
			8	00	07	84
			14/1/2	00	01	01
			14/2	00	03	54
			15	00	13	91
			16	00	01	51
		132	11	00	00	50
			20	00	08	85
			165	00	03	54
			166	00	02	27
			168	00	02	02
			170	00	02	27
			171	00	02	78
			752	00	02	78
			754	00	01	01
			767	00	01	51
			769	00	00	25
			794	00	00	75

[फा. सं. आर-31015/14/2009-ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 15th October, 2009

S. O. 2869.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India vide number S.O. 1781 dated the 19<sup>th</sup> June 2009, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to this notification for the purpose of laying pipeline for the transportation of Petroleum Products from Raman Mandi in the State of Punjab to Bahadurgarh in the State of Haryana by the Hindustan Petroleum Corporation Limited for implementing the "GGSR Products Evacuation Project pipeline from Raman Mandi to Bahadurgarh" in Tehsil Sirsa, District Sirsa, in Haryana State;

And whereas, copies of the said gazette notification were made available to the public on 09.08.09.



And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, has submitted his report to the Central Government.

And whereas, the Central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is acquired;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of users in the said land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Hindustan Petroleum Corporation Limited free from all encumbrances.

### SCHEDULE

Tehsil : SIRSA		District : SIRSA		State : HARYANA		
Name of Village	Hadbast No.	Mustatli No.	Khasra / Killa No.	Area		
				Hectare	Are	Square Metre
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. SURTIYA	168	27	6/1	00	10	87
			6/2	00	01	51
			7	00	12	39
			8	00	04	04
			15	00	00	25
		28	9	00	03	54
			10/1	00	05	06
			10/2/1	00	01	01
			10/2/2	00	04	04
			11	00	02	27
			12	00	09	10
			13	00	12	90
			14/1	00	08	34
			14/2	00	02	02
			15	00	00	25
			16/1	00	00	75
			16/2	00	02	27
			16/3	00	09	10
			17	00	03	03

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		29	19	00	02	78
			20/1	00	07	59
			20/2	00	05	56
			21	00	00	25
			22	00	10	37
			23	00	12	90
		45	24	00	07	08
			1	00	11	13
			10	00	11	13
			11	00	03	28
			Canal	00	10	62
			20	00	07	33
		46	21	00	11	13
			4	00	03	79
		60	5	00	12	14
			1	00	10	62
			9	00	00	25
			10	00	11	63
			11	00	03	28
			12	00	12	39
			13	00	07	84
			Road	00	05	06
			14	00	11	63
			15	00	02	78
			16	00	09	10
		61	17	00	01	01
			17	00	01	01
			18	00	09	61
			19	00	11	63
			20	00	12	65
			23	00	02	78
			24/1	00	11	63
		62	25/2	00	12	39
			21	00	12	90
			22/1	00	00	25
			22/2	00	05	06
		72	23	00	00	25
			1	00	01	51
			10	00	12	65
			11/1	00	03	79
			11/2	00	06	57
			12/2	00	03	28
			19/1	00	02	02
			19/2	00	10	62
			20	00	00	25
			22	00	07	08
			23	00	05	81

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		73	1/2	00	00	25
			2/1	00	00	25
		73	2/2	00	03	28
			2/3	00	03	54
			3/1	00	06	57
			3/2	00	06	57
			4	00	09	86
			5	00	11	89
			6/1	00	00	50
		93	3	00	12	14
			7	00	08	60
			8/1	00	02	27
			8/2	00	01	26
			8/3	00	00	25
			14	00	12	39
			15	00	00	25
			16	00	10	12
			17	00	02	27
			25	00	11	63
		94	21	00	01	51
		99	1	00	10	12
			Road	00	05	31
			9	00	03	28
			10	00	06	57
			11	00	00	25
			12	00	12	90
			18	00	06	57
			19/1	00	06	83
			19/2	00	00	25
			23	00	10	62
		100	5	00	00	75
		124	3	00	04	30
			4	00	08	34
			6	00	00	25
			7	00	12	65
			14	00	01	77
			15	00	11	38
			16	00	10	12
			25	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		125	20	00	02	02
			21	00	10	12
			22/2	00	02	02
		127	21	00	04	55
			25	00	10	62
		128	1	00	01	77
			2	00	13	91
			3	00	00	25
			8	00	11	63
			9/1	00	03	54
			9/2	00	00	25
			13	00	06	07
			14	00	09	36
			16	00	07	08
			17	00	08	60
		156	1	00	13	15
			2/1	00	02	78
			8	00	01	01
			9	00	14	42
			10	00	00	25
			12	00	00	75
			13	00	05	31
			221	00	01	01
			271	00	02	27
			273	00	03	03
			289	00	00	50
			294	00	00	75
			295	00	01	25
			308	00	00	75
			309	00	03	03
			533	00	01	26
			722	00	01	01
			729	00	02	53
			745	00	00	75
2. SINGHPURA	325	59	20	00	06	32
			21/1	00	05	81

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		59	21/2	00	02	78
			22	00	11	38
			23	00	00	25
		60	7	00	02	78
			13	00	07	59
			14	00	14	42
			15/1	00	01	26
			16/1	00	00	50
			16/2	00	12	90
			17	00	00	50
		64	2	00	02	53
			3	00	14	16
			4	00	03	28
			6/1	00	02	27
			6/2	00	04	80
			7	00	10	87
			8	00	00	25
			15	00	05	06
		65	11/1	00	10	37
			11/2	00	01	77
			12	00	00	25
			18	00	04	30
			19	00	13	40
			20	00	00	50
			23	00	08	34
			24	00	11	89
			25	00	00	25
		79	21	00	07	59
			22/2	00	00	75
		80	1	00	04	04
			9	00	09	86
			10	00	10	87
			12	00	05	31
			13	00	13	91
			14/1	00	01	51
			16	00	08	09

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		80	17	00	12	90
			18	00	00	25
			25	00	06	83
		81	4	00	03	03
			5/1	00	05	81
			5/2	00	06	83
		89	1/2	00	04	55
			2/1	00	07	59
			2/2	00	06	83
			3	00	05	56
			6	00	00	25
			7	00	11	63
			8	00	08	85
			14	00	02	02
			15	00	13	91
			16	00	00	25
		90	11	00	03	03
			19/1	00	02	78
			19/2	00	05	06
			20	00	10	62
			22	00	04	30
			23	00	14	16
			24	00	02	78
		99	21	00	09	61
		100	9	00	01	51
			10	00	14	42
			11	00	00	50
			12	00	12	90
			13	00	07	59
			16	00	00	75
			17	00	13	66
			18	00	06	83
			24	00	00	25
			25	00	12	14

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		101	4	00	11	89
			5	00	08	85
			6	00	05	31
		112	1	00	04	55
			2	00	10	12
			3	00	05	56
			6	00	00	25
			7	00	11	63
			8	00	10	12
			14	00	02	02
			15	00	13	66
		113	11	00	06	57
			18/3	00	00	75
			18/4	00	01	01
			19	00	13	66
			20	00	07	84
			22	00	00	50
			23/1	00	00	25
			23/2	00	11	63
			24/1	00	00	50
			24/2	00	08	85
		117	20	00	00	25
			21/2	00	10	12
			22	00	03	28
		118	1	00	03	54
			8	00	00	25
			9	00	11	38
			10	00	10	62
			12	00	02	27
			13	00	13	91
			14	00	05	81
			16/2	00	12	90
			17	00	08	85
			25/1	00	00	50
			25/2	00	00	75

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		119	4	00	04	80
			5	00	14	16
			6/1	00	00	25
		131	2	00	12	14
			3	00	07	08
			7	00	10	62
			8	00	07	84
			14/1/2	00	01	01
			14/2	00	03	54
			15	00	13	91
			16	00	01	51
		132	11	00	00	50
			20	00	08	85
			165	00	03	54
			166	00	02	27
			168	00	02	02
			170	00	02	27
			171	00	02	78
			752	00	02	78
			754	00	01	01
			767	00	01	51
			769	00	00	25
			794	00	00	75

[F. No. R-31015/14/2009-O.R.-II]

A. GOSWAMI, Under Secy

नई दिल्ली, 15 अक्टूबर, 2009

का. आ. 2870—केन्द्रीय सरकार ने पेट्रोलियम और प्राकृतिक गैस मंत्रालय के का.आ. 1782 दिनांक 19.06.09, द्वारा पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे उसके पश्चात् उक्त अधिनियम कहा जायेगा) की धारा 3(1) के अधीन अधिसूचना प्रकाशित कर, रमन मंडी (पंजाब राज्य में) से बहादुरगढ़ (हरियाणा राज्य में) तक, पेट्रोलियम उत्पाद के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा "जी जी एस आर उत्पाद निष्क्रमण परियोजना रमन मंडी से बहादुरगढ़ पेट्रोलियम पाइपलाइन" के सम्बन्ध में उक्त अधिसूचना से संलग्न अनुसूची में निर्दिष्ट तहसील रतिया जिला फतेहाबाद राज्य हरियाणा की भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी,

और, उक्त अधिसूचना की प्रतियां जनता को दिनांक 04.08.2009 को उपलब्ध करा दी गई थी,

और, उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से उपाबद्ध अनुसूची में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।



अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये घोषणा करती है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाता है।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

### अनुसूची

तहसील : रतिया		जिला : फतेहाबाद		राज्य : हरियाणा		
गाँव का नाम	हदबस्त संख्या	मुस्ततिल संख्या	खसरा/ किला संख्या	क्षेत्रफल		
				हेक्टेयर	एयर	वर्गमीटर
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. साहरन	109	4	24	00	04	30
			12	00	11	13
			6	00	02	02
			7/1	00	10	62
			7/2	00	01	01
			14	00	00	25
		13	15	00	12	90
			11	00	05	81
			20	00	04	30
			51	00	20	74
			63	00	01	51
2. मंड	108	78	19	00	08	85
			20	00	05	06
			22	00	06	07
			23	00	10	37
			24	00	00	25
		79	3	00	02	78
			4	00	14	42
			5	00	02	02
			6	00	13	15
			7	00	00	25
		80	10	00	05	06
			11	00	10	87
			12	00	09	36
			18/1	00	09	86
			18/2	00	00	25
			19	00	07	33
			24	00	11	13
			25	00	01	01

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		98	1	00	02	53
			9	00	05	56
			10	00	11	63
			12	00	08	09
			13	00	03	54
			18	00	11	38
			23	00	06	83
			24	00	03	28
		99	4	00	00	75
			5	00	14	16
		104	4	00	11	38
			6	00	02	78
			7	00	09	86
			14	00	00	25
			15	00	11	63
			16	00	11	13
			20	00	00	50
			21	00	09	61
			25	00	01	26
		115	1	00	11	89
			9	00	06	07
			10	00	03	79
			12	00	12	90
			13	00	01	26
			18	00	13	91
			19	00	00	50
			23	00	04	55
			24	00	09	61
		118	4	00	08	85
			5	00	05	81
			6	00	12	90
			15	00	00	50
		119	10	00	01	51
			11	00	13	66

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		119	12	00	00	25
			19	00	10	62
			20	00	04	04
			22	00	08	85
			23	00	05	56
		128	20	00	04	55
			21/1	00	04	55
			21/2	00	09	36
			22	00	00	75
		129	3/1	00	09	36
			3/2	00	03	79
			4	00	01	01
			7	00	12	14
			8	00	00	75
			14	00	04	04
			15	00	09	86
			16	00	08	85
		134	1	00	00	75
			2	00	13	15
			8	00	09	10
			9	00	05	31
			13	00	10	12
			14	00	04	04
			16	00	00	50
			17	00	13	66
			24	00	01	51
			25	00	12	65
		140	5	00	06	07
		141	1/1	00	08	09
			1/2	00	00	50
			9	00	03	79
			10	00	10	62
			11	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		141	12/1	00	06	07
			12/2	00	07	33
			13/1/1	00	00	50
			18/1	00	00	25
			18/2	00	12	39
			19	00	01	77
			23/1	00	00	25
			23/2	00	02	02
			24/1	00	00	25
			24/2	00	05	56
		147	4/2	00	11	89
			5	00	00	25
			6	00	09	36
			7/2	00	03	03
			15	00	12	14
			16	00	01	51
		148	11	00	00	50
			20	00	10	87
			21	00	11	89
			22	00	01	01
		150	1	00	00	75
			2	00	05	56
			158	00	06	83
			166	00	02	02
			170	00	00	75
			173/1	00	01	01
			173/2	00	00	25
			190	00	04	30
			251	00	07	08
			253	00	02	27
			254	00	01	51
			263	00	00	75
3. हडौली	104	104	17	00	03	79
			24	00	12	90
			25	00	04	04

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		139	21	00	11	38
			22/1	00	00	25
		140	5	00	11	38
			6	00	08	85
			15	00	08	60
			16	00	10	87
			25	00	09	61
		142	1	00	03	28
			2	00	14	67
			3	00	04	04
			6	00	00	25
			7	00	10	12
			8/1	00	08	09
			8/2/1	00	02	27
			9	00	00	25
			14	00	03	79
			15	00	14	42
			16	00	00	25
		143	11	00	03	28
			18	00	00	25
			19	00	10	87
			20	00	10	62
			22	00	03	28
			23	00	14	42
			24	00	03	28
		174	21/1	00	07	84
			21/2	00	02	02
			गम्ना	00	01	26
		175	1	00	00	25
			9/2	00	03	54
			10	00	14	42
			11	00	00	25
			12	00	11	13
			13	00	08	60

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		175	16	00	03	03
			17	00	14	16
			18	00	03	28
			24/2	00	00	25
			25	00	09	86
		176	4	00	09	36
			5	00	09	36
			6	00	03	28
		183	1	00	04	55
			2	00	14	42
			3	00	03	03
			7	00	10	12
			8	00	11	38
			9	00	00	25
			14	00	03	79
			15	00	14	42
			16	00	00	25
		184	11	00	03	03
			19	00	09	61
			20	00	11	38
			22	00	04	55
			23	00	10	12
			24	00	05	06
		208	1	00	00	25
			9	00	03	03
			10	00	14	42
			11	00	00	25
			12	00	11	63
			13	00	09	61
			17	00	10	37
			18	00	01	77
			24	00	10	87
			25/1	00	03	28
			25/2	00	00	50

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		209	4	00	10	37
			5	00	10	37
			6	00	02	78
		220	5	00	13	66
			6	00	00	50
		221	1	00	00	25
			10	00	14	42
			11	00	06	57
			12	00	07	84
			18	00	02	27
			19	00	10	62
			22	00	00	25
			23	00	14	42
			24	00	00	25
		241	20	00	08	60
			21	00	12	39
			22/1	00	01	26
			22/2	00	00	25
		242	3	00	02	53
			4	00	11	38
			6/2	00	02	78
			7	00	11	13
			14	00	00	25
			15	00	12	90
			16	00	02	78
		253	1	00	00	25
			2/1	00	11	89
			2/2	00	01	51
			8	00	07	84
			9	00	05	81
			13	00	11	89
			14/1	00	01	26
			17/1	00	06	07
			17/2	00	07	08

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		253	18	00	00	50
			24/2	00	10	37
			25	00	01	51
		271	11	00	06	57
			19	00	01	01
			20	00	13	15
			21	00	00	75
			22/1	00	06	07
			22/2	00	07	08
		272	4/2	00	01	51
			5/1	00	03	28
			5/2	00	01	01
			6	00	11	13
			15/1	00	00	25
			15/2	00	07	59
		280	2	00	04	80
			3	00	08	34
			7/2	00	03	03
			8	00	11	13
			13	00	00	25
			14/1	00	10	12
			14/2	00	02	27
			15	00	00	25
			16/2	00	10	62
			17	00	03	03
			25/1	00	08	85
		281	21/1	00	01	01
			21/2	00	02	78
		296	1	00	14	16
			2	00	00	50
			9	00	13	40
			10/1	00	00	50
			10/2	00	00	50
			12	00	05	56



(1)	(2)	(3)	(4)	(5)	(6)	(7)
		296	13	00	07	84
			17	00	01	51
			18	00	11	63
			23/2	00	00	25
			24/1	00	11	13
			24/2	00	03	03
		304	4	00	03	03
			5/1	00	02	27
			5/2	00	08	34
			6	00	08	85
		305	10	00	04	55
			11	00	13	66
			12	00	00	50
			19	00	12	90
			20/1	00	01	77
			22	00	06	57
			23/1	00	07	33
		315	20	00	02	78
			21	00	13	15
			22	00	00	25
		316	3/1	00	06	83
			3/2	00	05	06
			4	00	01	51
			7	00	13	91
			8	00	00	25
			14	00	04	30
			15	00	10	12
			16	00	09	61
		326	1	00	02	02
			2	00	12	39
			8	00	06	57
			9	00	07	33
			13	00	12	65
			14	00	01	26

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		326	17	00	13	15
			18	00	00	50
			24	00	05	31
			25	00	07	84
		333	11	00	04	30
			18	00	05	56
			19	00	13	66
			20	00	08	85
			23	00	05	31
			24	00	13	66
			25	00	06	07
		334	1	00	09	10
			2	00	01	01
			7	00	02	02
			8	00	12	65
			9	00	13	15
			10	00	00	25
			13	00	00	50
			14/1	00	11	38
			14/2	00	00	25
			15	00	12	65
			16	00	00	25
		335	5	00	09	36
		346	5	00	04	55
		347	1/1	00	03	03
			1/2	00	09	36
			2	00	10	37
			3	00	00	25
			7/1	00	09	36
			7/2	00	01	77
			8	00	12	65
			9	00	02	27
			14	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			440	00	00	75
			441	00	01	26
			445	00	01	01
			451	00	00	75
			452	00	00	75
			457	00	00	75
			458	00	00	75
			466	00	04	55
			482	00	03	03
			486	00	02	27
			493	00	06	07
			496	00	00	75
			502	00	01	77
			503	00	01	77
			504	00	02	27
			1294	00	02	53
			1311	00	04	55
			1325	00	02	27
			1326	00	00	25
			1337	00	01	26
			1346	00	01	26
			1351	00	01	26
4. अहरवा	127	205	21	00	12	65
			22	00	11	38
			23/1	00	06	32
			23/2	00	00	25
			24	00	02	27
			25	00	00	25
		206	23	00	03	03
			24/1	00	05	31
			24/2	00	07	08
			25/1	00	05	06
			25/2	00	07	84
		208	2	00	01	01
			3	00	05	56
			4	00	10	12
			5/1	00	06	07
			5/2	00	04	55

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		209	1	00	12	14
			2	00	12	65
			3	00	12	39
			4/1	00	00	50
			4/2	00	08	09
			6/1	00	08	09
			6/2	00	05	31
			7	00	06	07
			15	00	00	75
		210	10	00	00	75
			11/1	00	12	65
			12/1	00	05	06
			12/2	00	01	26
			17	00	00	75
			18	00	11	63
			19	00	07	59
			23/1	00	01	26
			24	00	12	39
			25/1	00	06	32
		230	21	00	09	61
			22	00	05	56
			23	00	01	51
		231	21/2	00	12	90
			22/1	00	05	81
			22/2/2	00	04	30
			23	00	05	31
			24	00	12	39
			25	00	12	14
		232	11	00	12	14
			12/1	00	00	75
			12/2	00	02	27
			16/1	00	00	50
			16/2	00	02	27
			17	00	12	39

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		232	18	00	12	90
			19/1/1	00	04	55
			19/1/2	00	00	50
			19/2/1	00	02	27
			19/2/2	00	02	27
			19/3	00	00	25
			20	00	00	50
			24	00	00	75
			25	00	04	04
		233	1/1	00	02	27
			1/2	00	10	12
			7	00	02	27
			8	00	11	63
			9/2	00	11	63
			10/1	00	00	25
			13	00	01	01
			14	00	11	13
			15	00	12	39
		234	5/1	00	07	08
			5/2	00	00	75
		245	1	00	00	25
			2/1	00	00	25
			2/2	00	02	78
			3	00	06	83
			4/1	00	01	51
			4/2	00	10	12
			5	00	12	39
		246	1	00	12	39
			2	00	12	39
			3	00	12	39
			4/2	00	12	14
			5	00	07	84
			6/1	00	03	79
			7/1/1	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		247	1	00	02	27
			6	00	12	39
			7/1	00	09	61
			7/2	00	02	78
			8	00	12	39
			9	00	12	39
			10	00	09	61
		248	9	00	01	26
			10/1	00	03	28
			10/2	00	07	33
			11/1	00	01	01
			12	00	06	83
			13	00	12	39
			14	00	11	13
			15	00	12	39
		249	11/1	00	01	01
			11/2	00	11	38
			12	00	07	33
			13	00	04	04
			16	00	12	39
			17	00	12	39
			18	00	08	34
			19	00	01	77
		250	17/2	00	00	75
			18	00	07	33
			19	00	12	39
			20	00	11	63
			22	00	00	25
			23	00	04	30
			24	00	11	13
			25	00	11	38
		251	21	00	12	39
			22/1	00	06	83
			22/2	00	06	57
			23	00	04	80

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		253	2	00	00	25
			3	00	06	07
			365/1	00	05	06
			310	00	05	06
			राम्ना	00	09	86
			321	00	06	07
			333	00	02	02
			334/2	00	00	75
			342	00	03	79
			351	00	00	75
			352	00	00	75
			354	00	01	26
			370	00	05	06
5. शेखपुरा सोतर	140	10	24	00	00	25
		17	21	00	12	65
			22	00	12	39
			23	00	05	06
		18	11/1	00	00	50
			16	00	00	25
			17	00	06	32
			18/1	00	11	38
			18/2	00	00	75
			19	00	12	39
			20	00	12	39
			23/2	00	00	25
			24	00	06	32
			25	00	11	13
		19	9	00	00	50
			10	00	07	08
			11	00	05	06
			12	00	12	39
			13/1	00	07	84
			13/2	00	05	06
			14	00	12	65
			15	00	08	34
			16	00	05	06
			17/1	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		20	1	00	12	90
			2	00	07	33
			3	00	00	25
			6	00	11	63
			7	00	12	39
			8	00	12	39
			9	00	06	07
			10	00	00	25
			15	00	00	25
		21	3	00	00	75
			4	00	12	14
			5	00	12	39
			48	00	01	01
			49	00	01	77
			52	00	01	26
			148/1	00	01	01
6. पालसर	84	47	24/1	00	01	26
			24/2	00	01	26
		53	3	00	03	79
			4	00	13	66
			66	00	01	77

[फा. सं. आर-31015/15/2009-ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 15th October, 2009

S. O. 2870.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India vide number S.O. 1782 dated the 19<sup>th</sup> June 2009, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to this notification for the purpose of laying pipeline for the transportation of Petroleum Products from Raman Mandi in the State of Punjab to Bahadurgarh in the State of Haryana by the Hindustan Petroleum Corporation Limited for implementing the "GGSR Products Evacuation Project pipeline from Raman Mandi to Bahadurgarh" in Tehsil Ratia, District Fatehabad, in Haryana State;

And whereas, copies of the said gazette notification were made available to the public on 04.08.09.

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, has submitted his report to the Central Government.



And whereas, the Central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is acquired;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of users in the said land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Hindustan Petroleum Corporation Limited free from all encumbrances.

### SCHEDULE

Tehsil : RATIA		District : FATEHABAD		State : HARYANA		
Name of Village	Hadbast No.	Mustatil No.	Khasra / Killa No.	Area		
				Hectare	Are	Square Metre
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. SAHARAN	109	4	24	00	04	30
		12	4/1	00	11	13
			6	00	02	02
			7/1	00	10	62
			7/2	00	01	01
			14	00	00	25
			15	00	12	90
		13	11	00	05	81
			20	00	04	30
			51	00	20	74
			63	00	01	51
2. MADH	108	78	19	00	08	85
			20	00	05	06
			22	00	06	07
			23	00	10	37
			24	00	00	25
		79	3	00	02	78
			4	00	14	42
			5	00	02	02
			6	00	13	15
			7	00	00	5

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		80	10	00	05	06
			..	00	10	87
			12	00	09	36
			18/1	00	09	86
			18/2	00	00	25
			19	00	07	33
			24	00	11	13
			25	00	01	01
		98	1	00	02	53
			9	00	05	56
			10	00	11	63
			12	00	08	09
			13	00	03	54
			18	00	11	38
			23	00	06	83
			24	00	03	28
		99	4	00	00	75
			5	00	14	16
		104	4	00	11	38
			6	00	02	78
			7	00	09	86
			14	00	00	25
			15	00	11	63
			16	00	11	13
			20	00	00	50
			21	00	09	61
			25	00	01	26
		115	1	00	11	89
			9	00	06	07
			10	00	03	79
			12	00	12	90
			13	00	01	26
			18	00	13	91
			19	00	00	50
			23	00	04	55
			24	00	09	61
		118	4	00	08	85
			5	00	05	81
			6	00	12	90
			15	00	00	50
		119	10	00	01	51
			11	00	13	66

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		119	12	00	00	25
			19	00	10	62
			20	00	04	04
			22	00	08	85
			23	00	05	56
		128	20	00	04	55
			21/1	00	04	55
			21/2	00	09	36
			22	00	00	75
		129	3/1	00	09	36
			3/2	00	03	79
			4	00	01	01
			7	00	12	14
			8	00	00	75
			14	00	04	04
			15	00	09	86
			16	00	08	85
		134	1	00	00	75
			2	00	13	15
			8	00	09	10
			9	00	05	31
			13	00	10	12
			14	00	04	04
			16	00	00	50
			17	00	13	66
			24	00	01	51
			25	00	12	65
		140	5	00	06	07
		141	1/1	00	08	09
			1/2	00	00	50
			9	00	03	79
			10	00	10	62
			11	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		141	12/1	00	06	07
			12/2	00	07	33
			13/1/1	00	00	50
			18/1	00	00	25
			18/2	00	12	39
			19	00	01	77
			23/1	00	00	25
			23/2	00	02	02
			24/1	00	00	25
			24/2	00	05	56
		147	4/2	00	11	89
			5	00	00	25
			6	00	09	36
			7/2	00	03	03
			15	00	12	14
			16	00	01	51
		148	11	00	00	50
			20	00	10	87
			21	00	11	89
			22	00	01	01
		150	1	00	00	75
			2	00	05	56
			158	00	06	83
			166	00	02	02
			170	00	00	75
			173/1	00	01	01
			173/2	00	00	25
			190	00	04	30
			251	00	07	08
			253	00	02	27
			254	00	01	51
			263	00	00	75
3. HAROLI	104	104	17	00	03	79
			24	00	12	90
			25	00	04	04

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		139	21	00	11	38
			22/1	00	00	25
		140	5	00	11	38
			6	00	08	85
			15	00	08	60
			16	00	10	87
			25	00	09	61
		142	1	00	03	28
			2	00	14	67
			3	00	04	04
			6	00	00	25
			7	00	10	12
			8/1	00	08	09
			8/2/1	00	02	27
			9	00	00	25
			14	00	03	79
			15	00	14	42
			16	00	00	25
		143	11	00	03	28
			18	00	00	25
			19	00	10	87
			20	00	10	62
			22	00	03	28
			23	00	14	42
			24	00	03	28
		174	21/1	00	07	84
			21/2	00	02	02
			Cart Track	00	01	26
		175	1	00	00	25
			9/2	00	03	54
			10	00	14	42
			11	00	00	25
			12	00	11	13
			13	00	08	60

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		<b>175</b>	16	00	03	03
			17	00	14	16
			18	00	03	28
			24/2	00	00	25
			25	00	09	86
		<b>176</b>	4	00	09	36
			5	00	09	36
			6	00	03	28
		<b>183</b>	1	00	04	55
			2	00	14	42
			3	00	03	03
			7	00	10	12
			8	00	11	38
			9	00	00	25
			14	00	03	79
			15	00	14	42
			16	00	00	25
		<b>184</b>	11	00	03	03
			19	00	09	61
			20	00	11	38
			22	00	04	55
			23	00	10	12
			24	00	05	06
		<b>208</b>	1	00	00	25
			9	00	03	03
			10	00	14	42
			11	00	00	25
			12	00	11	63
			13	00	09	61
			17	00	10	37
			18	00	01	77
			24	00	10	87
			25/1	00	03	28
			25/2	00	00	50

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		209	4	00	10	37
			5	00	10	37
			6	00	02	78
		220	5	00	13	66
			6	00	00	50
		221	1	00	00	25
			10	00	14	42
			11	00	06	57
			12	00	07	84
			18	00	02	27
			19	00	10	62
			22	00	00	25
			23	00	14	42
			24	00	00	25
		241	20	00	08	60
			21	00	12	39
			22/1	00	01	26
			22/2	00	00	25
		242	3	00	02	53
			4	00	11	38
			6/2	00	02	78
			7	00	11	13
			14	00	00	25
			15	00	12	90
			16	00	02	78
		253	1	00	00	25
			2/1	00	11	89
			2/2	00	01	51
			8	00	07	84
			9	00	05	81
			13	00	11	89
			14/1	00	01	26
			17/1	00	06	07
			17/2	00	07	08

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		253	18	00	00	50
			24/2	00	10	37
			25	00	01	51
		271	11	00	06	57
			19	00	01	01
			20	00	13	15
			21	00	00	75
			22/1	00	06	07
			22/2	00	07	08
		272	4/2	00	01	51
			5/1	00	03	28
			5/2	00	01	01
			6	00	11	13
			15/1	00	00	25
			15/2	00	07	59
		280	2	00	04	80
			3	00	08	34
			7/2	00	03	03
			8	00	11	13
			13	00	00	25
			14/1	00	10	12
			14/2	00	02	27
			15	00	00	25
			16/2	00	10	62
			17	00	03	03
			25/1	00	08	85
		281	21/1	00	01	01
			21/2	00	02	78
		296	1	00	14	16
			2	00	00	50
			9	00	13	40
			10/1	00	00	50
			10/2	00	00	50
			12	00	05	56



(1)	(2)	(3)	(4)	(5)	(6)	(7)
		296	13	00	07	84
			17	00	01	51
			18	00	11	63
			23/2	00	00	25
			24/1	00	11	13
			24/2	00	03	03
		304	4	00	03	03
			5/1	00	02	27
			5/2	00	08	34
			6	00	08	85
		305	10	00	04	55
			11	00	13	66
			12	00	00	50
			19	00	12	90
			20/1	00	01	77
			22	00	06	57
			23/1	00	07	33
		315	20	00	02	78
			21	00	13	15
			22	00	00	25
		316	3/1	00	06	83
			3/2	00	05	06
			4	00	01	51
			7	00	13	91
			8	00	00	25
			14	00	04	30
			15	00	10	12
			16	00	09	61
		326	1	00	02	02
			2	00	12	39
			8	00	06	57
			9	00	07	33
			13	00	12	65
			14	00	01	26

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		326	17	00	13	15
			18	00	00	50
			24	00	05	31
			25	00	07	84
		333	11	00	04	30
			18	00	05	56
			19	00	13	66
			20	00	08	85
			23	00	05	31
			24	00	13	66
			25	00	06	07
		334	1	00	09	10
			2	00	01	01
			7	00	02	02
			8	00	12	65
			9	00	13	15
			10	00	00	25
			13	00	00	50
			14/1	00	11	38
			14/2	00	00	25
			15	00	12	65
			16	00	00	25
		335	5	00	09	36
		340	5	00	04	55
		347	1/1	00	03	03
			1/2	00	09	36
			2	00	10	37
			3	00	00	25
			7/1	00	09	36
			7/2	00	01	77
			8	00	12	65
			9	00	02	27
			14	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			440	00	00	75
			441	00	01	26
			445	00	01	01
			451	00	00	75
			452	00	00	75
			457	00	00	75
			458	00	00	75
			466	00	04	55
			482	00	03	03
			486	00	02	27
			493	00	06	07
			496	00	00	75
			502	00	01	77
			503	00	01	77
			504	00	02	27
			1294	00	02	53
			1311	00	04	55
			1325	00	02	27
			1326	00	00	25
			1337	00	01	26
			1346	00	01	26
			1351	00	01	26
4. AHEARWA	127	205	21	00	12	65
			22	00	11	38
			23/1	00	06	32
			23/2	00	00	25
			24	00	02	27
			25	00	00	25
		206	23	00	03	03
			24/1	00	05	31
			24/2	00	07	08
			25/1	00	05	06
			25/2	00	07	84
		208	2	00	01	01
			3	00	05	56
			4	00	10	12
			5/1	00	06	07
			5/2	00	04	55

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		209	1	00	12	14
			2	00	12	65
			3	00	12	39
			4/1	00	00	50
			4/2	00	08	09
			6/1	00	08	09
			6/2	00	05	31
			7	00	06	07
			15	00	00	75
		210	10	00	00	75
			11/1	00	12	65
			12/1	00	05	06
			12/2	00	01	26
			17	00	00	75
			18	00	11	63
			19	00	07	59
			23/1	00	01	26
			24	00	12	39
			25/1	00	06	32
		230	21	00	09	61
			22	00	05	56
			23	00	01	51
		231	21/2	00	12	90
			22/1	00	05	81
			22/2/2	00	04	30
			23	00	05	31
			24	00	12	39
			25	00	12	14
		232	11	00	12	14
			12/1	00	00	75
			12/2	00	02	27
			16/1	00	00	50
			16/2	00	02	27
			17	00	12	39

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		232	18	00	12	90
			19/1/1	00	04	55
			19/1/2	00	00	50
			19/2/1	00	02	27
			19/2/2	00	02	27
			19/3	00	00	25
			20	00	00	50
			24	00	00	75
			25	00	04	04
		233	1/1	00	02	27
			1/2	00	10	12
			7	00	02	27
			8	00	11	63
			9/2	00	11	63
			10/1	00	00	25
			13	00	01	01
			14	00	11	13
			15	00	12	39
		234	5/1	00	07	08
			5/2	00	00	75
		245	1	00	00	25
			2/1	00	00	25
			2/2	00	02	78
			3	00	06	83
			4/1	00	01	51
			4/2	00	10	12
			5	00	12	39
		246	1	00	12	39
			2	00	12	39
			3	00	12	39
			4/2	00	12	14
			5	00	07	84
			6/1	00	03	79
			7/1/1	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		<b>247</b>	1	00	02	27
			6	00	12	39
			7/1	00	09	61
			7/2	00	02	78
			8	00	12	39
			9	00	12	39
			10	00	09	61
		<b>248</b>	9	00	01	26
			10/1	00	03	28
			10/2	00	07	33
			11/1	00	01	01
			12	00	06	83
			13	00	12	39
			14	00	11	13
			15	00	12	39
		<b>249</b>	11/1	00	01	01
			11/2	00	11	38
			12	00	07	33
			13	00	04	04
			16	00	12	39
			17	00	12	39
			18	00	08	34
			19	00	01	77
		<b>250</b>	17/2	00	00	75
			18	00	07	33
			19	00	12	39
			20	00	11	63
			22	00	00	25
			23	00	04	30
			24	00	11	13
			25	00	11	38
		<b>251</b>	21	00	12	39
			22/1	00	06	83
			22/2	00	06	57
			23	00	04	80

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		253	2	00	00	25
			3	00	06	07
			365/1	00	05	08
			310	00	05	08
			Cart Track	00	09	86
			321	00	06	07
			333	00	02	02
			334/2	00	00	75
			342	00	03	79
			351	00	00	75
			352	00	00	75
			354	00	01	26
			370	00	05	06
5. SHENKUPUR SOTAR	140	10	24	00	00	25
		17	21	00	12	65
			22	00	12	39
			23	00	05	06
		18	11/1	00	00	50
			16	00	00	25
			17	00	06	32
			18/1	00	11	38
			18/2	00	00	75
			19	00	12	39
			20	00	12	39
			23/2	00	00	25
			24	00	06	32
			25	00	11	13
		19	9	00	00	50
			10	00	07	08
			11	00	05	06
			12	00	12	39
			13/1	00	07	84
			13/2	00	05	06
			14	00	12	65
			15	00	08	34
			16	00	05	06
			17/1	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		20	1	00	12	90
			2	00	07	33
			3	00	00	25
			6	00	11	63
			7	00	12	39
			8	00	12	39
			9	00	06	07
			10	00	00	25
			15	00	00	25
		21	3	00	00	75
			4	00	12	14
			5	00	12	39
			48	00	01	01
			49	00	01	77
			52	00	01	26
			148/1	00	01	01
6. PALSAR	84	47	24/1	00	01	26
			24/2	00	01	26
		53	3	00	03	79
			4	00	13	66
			66	00	01	77

[F. No. R-31015/15/2009-O.R.-II]

A. GOSWAMI, Under Secy

नई दिल्ली, 15 अक्टूबर, 2009

का. आ. 2871—केन्द्रीय सरकार को लोक हित में यह आवश्यक प्रतीत होता है कि पंजाब राज्य में रमन मंडी से भटिंडा तक, पेट्रोलियम तेल के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा 'जी जी एस आर उत्पाद निष्क्रमण परियोजना' के कार्यान्वयन हेतु एक पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उक्त भूमि में, जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है और जिसमें पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई भी व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर उसमें उपयोग के अधिकार का अर्जन करने या भूमि के नीचे पाइपलाइन बिछाने के संबंध में श्री गगनदीप सिंह, सक्षम प्राधिकारी, (पंजाब), हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, गुरु गोविन्द सिंह रिफाइनरी उत्पाद निष्क्रमण परियोजना, गांव: फूलो खारी, रिफाइनरी गेट, तहसील: तलवंडी सावो, जिला: भटिंडा, पंजाब को लिखित रूप में आक्षेप भेज सकेगा।



## अनुसूची

तहसील : भटिंडा		जिला : भटिंडा		राज्य : पंजाब		
गाँव का नाम	हदबस्त संख्या	मुस्ततिल संख्या	खसरा/ किला संख्या	क्षेत्रफल		
				हेक्टेयर	एयर	वर्गमीटर
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. गहरी देवीनगर	63		1527/1	00	16	69
2. कोट समीर	57	247	14	00	09	36
			17	00	11	13
			24	00	09	10
		286	4	00	04	04
		305	24	00	01	51
		344	4	00	04	55
			7	00	06	83
			14/2	00	05	56
			17	00	04	55
			24	00	03	03
		365	4	00	01	51
			14	00	03	54
			17	00	00	25
3. कटारसिंह वाला	62		52	00	05	06
			119	00	03	79
			128	00	00	25
			130	00	00	25
			141/1	00	02	53
			141/2	00	09	61
			142	00	04	80
			176/1	00	00	25
			177	00	25	55
			179	00	26	05
			180	00	00	50

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			182	00	15	43
			312	00	04	04
			351	00	17	96
			354	00	06	83
			359	00	27	32
			360	00	21	75
			404	00	00	50
			405	00	04	30
			406	00	17	45
			478	00	05	81

[फा. सं. आर-31015/40/2009-ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 15th October, 2009

S. O. 2871.—Whereas, it appears to the Central Government, that it is necessary in the public interest that for the transportation of Petroleum Products from Raman Mandi to Bhatinda in the State of Punjab for implementation of "GGSR Products Evacuation Project pipeline from Raman Mandi to Bhatinda", should be laid by the Hindustan Petroleum Corporation Limited;

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the Right of User in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said schedule may, within twenty one days from the date on which the copies of this notification issued under sub-section (1) of Section 3 of the said Act, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the Right of User therein or laying of the pipeline under the land, to Shri Gagan Deep Singh, Competent Authority (Punjab), Hindustan Petroleum Corporation Limited, Guru Gobind Singh Refinery Product Evacuation Project, Village: Phullo Khari, Refinery Gate, Tehsil : Talwandi Saboo, District: Bhatinda, Punjab.

**SCHEDULE**

<b>Tehsil : BHATINDA</b>		<b>District :BHATINDA</b>		<b>State : PUNJAB</b>		
<b>Name of Village</b>	<b>Hadbast No.</b>	<b>Mustatli No.</b>	<b>Khasra / Killa No.</b>	<b>Area</b>		
				<b>Hectare</b>	<b>Are</b>	<b>Square Metre</b>
<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>	<b>(5)</b>	<b>(6)</b>	<b>(7)</b>
<b>1. GAHRI DEVINAGAR</b>	<b>63</b>		<b>1527/1</b>	<b>00</b>	<b>18</b>	<b>69</b>
<b>2. KOT SAMIR</b>	<b>57</b>	<b>247</b>	<b>14</b>	<b>00</b>	<b>09</b>	<b>36</b>
			<b>17</b>	<b>00</b>	<b>11</b>	<b>13</b>
			<b>24</b>	<b>00</b>	<b>09</b>	<b>10</b>
			<b>286</b>	<b>00</b>	<b>04</b>	<b>04</b>
			<b>305</b>	<b>00</b>	<b>01</b>	<b>51</b>
			<b>344</b>	<b>00</b>	<b>04</b>	<b>55</b>
			<b>7</b>	<b>00</b>	<b>06</b>	<b>83</b>
			<b>14/2</b>	<b>00</b>	<b>05</b>	<b>56</b>
			<b>17</b>	<b>00</b>	<b>04</b>	<b>55</b>
			<b>24</b>	<b>00</b>	<b>03</b>	<b>03</b>
			<b>365</b>	<b>00</b>	<b>01</b>	<b>51</b>
			<b>14</b>	<b>00</b>	<b>03</b>	<b>54</b>
			<b>17</b>	<b>00</b>	<b>00</b>	<b>25</b>
			<b>52</b>	<b>00</b>	<b>05</b>	<b>06</b>
			<b>119</b>	<b>00</b>	<b>03</b>	<b>79</b>
<b>3. KATARSINGH WALA</b>	<b>62</b>		<b>128</b>	<b>00</b>	<b>00</b>	<b>25</b>
			<b>130</b>	<b>00</b>	<b>00</b>	<b>25</b>
			<b>141/1</b>	<b>00</b>	<b>02</b>	<b>53</b>
			<b>141/2</b>	<b>00</b>	<b>09</b>	<b>61</b>
			<b>142</b>	<b>00</b>	<b>04</b>	<b>80</b>
			<b>176/1</b>	<b>00</b>	<b>00</b>	<b>25</b>
			<b>177</b>	<b>00</b>	<b>25</b>	<b>55</b>
			<b>179</b>	<b>00</b>	<b>26</b>	<b>05</b>
			<b>180</b>	<b>00</b>	<b>00</b>	<b>50</b>

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			182	00	15	43
			312	00	04	04
			351	00	17	96
			354	00	06	83
			359	00	27	32
			360	00	21	75
			404	00	00	50
			405	00	04	30
			406	00	17	45
			478	00	05	81

[F. No. R-31015/40/2009-O.R.-II]

A. GOSWAMI, Under Secy

नई दिल्ली, 15 अक्टूबर, 2009

का. आ. 2872—केन्द्रीय सरकार ने पेट्रोलियम और प्राकृतिक गैस मंत्रालय के का.आ. 1941 दिनांक 08.07.09, द्वारा पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे उसके पश्चात् उक्त अधिनियम कहा जायेगा) की धारा 3(1) के अधीन अधिसूचना प्रकाशित कर, रमन मंडी से भटिंडा (पंजाब राज्य में) तक, पेट्रोलियम उत्पाद के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा "जी जी एस आर उत्पाद निष्क्रमण परियोजना रमन मंडी से भटिंडा पेट्रोलियम पाइपलाइन" के सम्बन्ध में उक्त अधिसूचना से संलग्न अनुसूची में निर्दिष्ट तहसील भटिंडा जिला भटिंडा राज्य पंजाब की भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी,

और, उक्त अधिसूचना की प्रतियां जनता को दिनांक 05.09.2009 को उपलब्ध करा दी गई थी,

और, उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से उपाबद्ध अनुसूची में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये घोषणा करती है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाता है।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची संलग्न

## अनुसूची

तहसील : मटिंडा		जिला : मटिंडा		राज्य : पंजाब		
गाँव का नाम	इसका संख्या	मुस्तसिल संख्या	खसरा/ किला संख्या	क्षेत्रफल		
				हेक्टेयर	एयर	वर्गमीटर
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. गहरी देवीनगर	63		1527/1	00	09	61
			1527/2	00	01	77
			1546/1	00	08	09
			1546/2/2	00	20	99
			1547	00	27	83
			1567	00	15	68
			1568	00	10	62
			1569	00	16	95
			1594	00	13	66
			1595/1	00	14	16
			1595/2	00	14	67
			1596/1	00	15	93
			1596/2	00	01	77
			1599	00	14	67
			1600/1	00	25	04
			1600/2	00	03	28
			1601/2	00	11	13
			1709	00	01	51
2. कोट समीर	57	43	8	00	02	53
			13	00	11	13
			18	00	11	13
			23	00	11	13
		50	3	00	11	13
			8	00	11	13
			13/1	00	10	12
			12/2/2	00	00	25
			13/2	00	00	25
			18	00	07	33

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		80	19/1	00	02	53
			22	00	07	08
			23	00	04	04
		83	2	00	10	62
			3	00	00	50
			9/1	00	05	81
			9/2	00	03	54
			12	00	11	13
			19	00	11	13
			22	00	11	13
		88	2	00	11	13
			9/1	00	10	62
			9/2	00	00	25
			10	00	00	25
			11	00	03	03
			12	00	08	09
			19/2	00	03	54
			20	00	07	59
			21	00	11	13
			22/1	00	00	25
		122	1/1	00	09	36
			1/2	00	01	77
			10	00	11	13
			11/2	00	11	13
			20	00	11	13
			21/2	00	00	25
			21/1	00	10	12
		125	5	00	01	26
			6/1	00	03	28
			6/2	00	02	78
			15	00	10	62
			16	00	10	87
			25	00	11	38

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		128	1/1	00	10	12
			10/2/1	00	04	04
			10/2/2	00	01	01
			11/1/1	00	00	50
		183	4/2	00	04	04
			5/1	00	04	55
			5/2	00	00	28
			6	00	00	25
			7	00	11	13
			14/1	00	04	30
			14/2	00	07	00
			17	00	10	02
			18	00	00	75
			24	00	02	27
			25	00	00	36
		184	3	00	05	00
		247	24	00	02	02
		288	4	00	07	00
			7	00	11	13
			14	00	11	13
			17/2	00	11	13
			24/1	00	10	02
		305	4	00	11	13
			7	00	10	02
			8	00	00	50
			13	00	05	50
			14	00	00	00
			17/1	00	00	25
			17/2	00	00	25
			18/1	00	00	32
			18/2	00	03	28
			23	00	00	00
			24	00	01	51

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		<b>344</b>	3	00	04	04
			4	00	02	53
			7	00	04	04
			8	00	00	25
			14/2	00	05	56
			17	00	06	57
			24	00	08	09
		<b>365</b>	4	00	09	61
			7	00	06	07
			14	00	10	62
			17	00	10	87
			24	00	11	13
		<b>404</b>	4	00	10	62
			7/1	00	02	27
			7/2	00	08	85
			14/1	00	10	62
			14/2	00	00	50
			17	00	11	13
			24	00	11	13
		<b>418</b>	4	00	11	13
			7/1	00	06	83
			7/2	00	04	30
			14	00	11	13
			17	00	07	84
			537	00	02	53
			540	00	02	53
			545	00	01	51
			546	00	01	77
			584	00	01	01
			635	00	00	50
			672	00	00	25



(1)	(2)	(3)	(4)	(5)	(6)	(7)
			1344/2	00	00	50
			1346	00	00	50
			1407	00	00	50
			1430	00	02	53
3. कटारसिंह बाला	62		12/3	00	00	25
			13	00	13	40
			14	00	26	05
			15/1	00	12	39
			15/2	00	15	93
			16/1/2	00	00	25
			16/1/3	00	06	83
			16/2	00	03	79
			17	00	10	37
			28	00	01	01
			42	00	15	18
			44	00	22	77
			51	00	00	75
			118/1	00	05	81
			119/1	00	07	08
			119/2/3	00	12	39
			119/2/4	00	01	51
			119/2/2	00	00	25
			130	00	17	96
			135	00	03	28
			141/1	00	18	21
			141/2	00	01	01
			178	00	02	27
			953/183	00	11	38
			954/183	00	00	25
			958/185	00	02	78
			188	00	01	51
			351	00	03	03
			355	00	17	20
			357/2	00	01	01

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			360 <sup>1</sup> / <sub>2</sub>	00	04	30
			391	00	00	50
			404	00	27	83
			405	00	24	03
			406	00	02	78
			36 <sup>1</sup> / <sub>3</sub>	00	00	75

[फ. सं. आर-31015/40/2009-ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 15th October, 2009

S. O. 2872.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India vide number S.O. 1941 dated the 08<sup>th</sup> July 2009, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to this notification for the purpose of laying pipeline for the transportation of Petroleum Products from Raman Mandi to Bhatinda in the State of Punjab by the Hindustan Petroleum Corporation Limited for implementing the "GGSR Products Evacuation Project pipeline from Raman Mandi to Bhatinda" in Tehsil Bhatinda, District Bhatinda, in Punjab State;

And whereas, copies of the said gazette notification were made available to the public on 05.09.09.

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, has submitted his report to the Central Government.

And whereas, the Central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is acquired;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of users in the said land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Hindustan Petroleum Corporation Limited free from all encumbrances.

## SCHEDULE

Tehsil : BHATINDA		District : BHATINDA		State : PUNJAB		
Name of Village	Hadbast No.	Mustatil No.	Khasra / Killa No.	Area		
				Hectare	Are	Square Metre
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. GAHRI DEVINAGAR	63		1527/1	00	09	61
			1527/2	00	01	77
			1546/1	00	08	09
			1546/2/2	00	20	99
			1547	00	27	83
			1567	00	15	68
			1568	00	10	62
			1569	00	16	95
			1594	00	13	66
			1595/1	00	14	16
			1595/2	00	14	67
			1596/1	00	15	93
			1596/2	00	01	77
			1599	00	14	67
			1600/1	00	25	04
			1600/2	00	03	28
			1601/2	00	11	13
			1709	00	01	51
2. KOT SAMIR	57	43	8	00	02	53
			13	00	11	13
			18	00	11	13
			23	00	11	13
		50	3	00	11	13
			8	00	11	13
			13/1	00	10	12
			12/2/2	00	00	25
			13/2	00	00	25
			18	00	07	33

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		50	19/1	00	02	53
			22	00	07	08
			23	00	04	04
		83	2	00	10	62
			3	00	00	50
			9/1	00	05	81
			9/2	00	03	54
			12	00	11	13
			19	00	11	13
			22	00	11	13
		88	2	00	11	13
			9/1	00	10	62
			9/2	00	00	25
			10	00	00	25
			11	00	03	03
			12	00	08	09
			19/2	00	03	54
			20	00	07	59
			21	00	11	13
			22/1	00	00	25
		122	1/1	00	09	36
			1/2	00	01	77
			10	00	11	13
			11/2	00	11	13
			20	00	11	13
			21/2	00	00	25
			21/1	00	10	12
		125	5	00	01	26
			6/1	00	03	28
			6/2	00	02	78
			15	00	10	62
			16	00	10	87
			25	00	11	38

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		126	1/1	00	10	12
			10/2/1	00	04	04
			10/2/2	00	01	01
			11/1/1	00	00	50
		163	4/2	00	04	04
			5/1	00	04	55
			5/2	00	03	28
			6	00	00	25
			7	00	11	13
			14/1	00	04	30
			14/2	00	07	08
			17	00	10	62
			16	00	00	75
			24	00	02	27
			23	00	09	36
		164	3	00	05	06
		247	24	00	02	02
		286	4	00	07	06
			7	00	11	13
			14	00	11	13
			17/2	00	11	13
			24/1	00	10	62
		305	4	00	11	13
			7	00	10	62
			8	00	00	50
			13	00	05	56
			14	00	03	03
			17/1	00	00	25
			17/2	00	00	25
			18/1	00	06	32
			18/2	00	03	28
			23	00	08	09
			24	00	01	51

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		<b>344</b>	3	00	04	04
			4	00	02	53
			7	00	04	04
			8	00	00	25
			14/2	00	05	56
			17	00	06	57
			24	00	08	09
		<b>365</b>	4	00	09	61
			7	00	06	07
			14	00	10	62
			17	00	10	87
			24	00	11	13
		<b>404</b>	4	00	10	62
			7/1	00	02	27
			7/2	00	08	85
			14/1	00	10	62
			14/2	00	00	50
			17	00	11	13
			24	00	11	13
		<b>418</b>	4	00	11	13
			7/1	00	06	83
			7/2	00	04	30
			14	00	11	13
			17	00	07	84
			537	00	02	53
			540	00	02	53
			545	00	01	51
			546	00	01	77
			584	00	01	01
			635	00	00	50
			672	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			1344/2	00	00	50
			1346	00	00	50
			1407	00	00	50
			1430	00	02	53
<b>3. KATARSINGH WALA</b>	<b>62</b>		12/3	00	00	25
			13	00	13	40
			14	00	26	05
			15/1	00	12	39
			15/2	00	15	93
			16/1/2	00	00	25
			16/1/3	00	06	83
			16/2	00	03	79
			17	00	10	37
			28	00	01	01
			42	00	15	18
			44	00	22	77
			51	00	00	75
			118/1	00	05	81
			119/1	00	07	08
			119/2/3	00	12	30
			119/2/4	00	01	51
			119/2/2	00	00	25
			130	00	17	96
			135	00	03	28
			141/1	00	18	21
			141/2	00	01	01
			178	00	02	27
			953/183	00	11	38
			954/183	00	00	25
			958/185	00	02	78
			188	00	01	51
			351	00	03	03
			355	00	17	20
			357/2	00	01	01

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			360/2	00	04	30
			391	00	00	50
			404	00	27	83
			405	00	24	03
			406	00	02	78
			36/3	00	00	75

[F. No. R-31015/40/2009-O.R.-II]

A. GOSWAMI, Under Secy

नई दिल्ली, 15 अक्टूबर, 2009

का. अ. 2873— केन्द्रीय सरकार को लोक हित में यह आवश्यक प्रतीत होता है कि पंजाब राज्य में रमन मंडी से हरियाणा राज्य में बहादुरगढ़ तक, पेट्रोलियम तेल के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा 'जी जी एस आर उत्पाद निष्क्रमण परियोजना' के कार्यान्वयन हेतु एक पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उक्त भूमि में, जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है और जिसमें पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

किसी भी व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर उसमें उपयोग के अधिकार का अर्जन करने या भूमि के नीचे पाइपलाइन बिछाने के संबंध में श्री प्रहलाद सिंह, (हरियाणा), हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, गुरु गोबिन्द सिंह रिफाइनरी उत्पाद निष्क्रमण परियोजना, एस सी एफ नं. - 29, सेक्टर - 6, बहादुरगढ़ - 124507, हरियाणा को लिखित रूप में आक्षेप भेज सकेगा।



## अनुसूची

तहसील : बरवाला		जिला : हिसार		राज्य : हरियाणा		
गाँव का नाम	हदबस्त संख्या	मुस्ततिल संख्या	खसरा/ किला संख्या	क्षेत्रफल		
				हेक्टेयर	एयर	वर्गमीटर
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. बरवाला	128	347	11	00	13	40
			12/1	00	00	50
			18	00	01	01
			19	00	14	42
			20	00	00	75
			22	00	00	75
			23	00	13	66
			24/1	00	03	03
		383	3	00	00	25
			4	00	14	16
			रास्ता	00	00	50
			5	00	00	50
			6	00	09	36
			7	00	00	25
			रास्ता	00	03	54
		384	10	00	06	32
			11	00	09	36
			2719	00	01	26
			2778	00	00	75
2. ढाड	18	94	15	00	05	81
		4	19	00	12	90
			20	00	00	25
			21	00	01	01
			22	00	07	59
			23	00	05	31
		8	3	00	12	90

(1)	(2)	(3)	(4)	(5)	(6)	(7)
3. ब्याना खेड़ा	16	97	6	00	07	08
		98	11	00	03	79

[फा. सं. आर-31015/16/2009-ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 15th October, 2009

**S. O. 2873.**— Whereas, it appears to the Central Government, that it is necessary in the public interest that for the transportation of Petroleum Products from Raman Mandi in the State of Punjab to Bahadurgarh in the State of Haryana for implementation of "GGSR Products Evacuation Project pipeline from Raman Mandi to Bahadurgarh", should be laid by the Hindustan Petroleum Corporation Limited;

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the Right of User in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said schedule may, within twenty one days from the date on which the copies of this notification issued under sub-section (1) of Section 3 of the said Act, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the Right of User therein or laying of the pipeline under the land, to shri Prahlad Singh, Competent Authority (Haryana), Hindustan Petroleum Corporation Limited, Guru Gobind Singh Refinery Product Evacuation Project, SCF No. – 29, Sector – 6 Market, Bahadurgarh – 124507, Haryana.

## अनुसूची

तहसील : बरवाला		जिला : हिसार		राज्य : हरियाणा		
गाँव का नाम	हवबस्त संख्या	मुस्ततिल संख्या	खसरा/ किला संख्या	क्षेत्रफल		
				हेक्टेयर	एयर	वर्गमीटर
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. बरवाला	128	347	11	00	13	40
			12/1	00	00	50
			18	00	01	01
			19	00	14	42
			20	00	00	75
			22	00	00	75
			23	00	13	66
			24/1	00	03	03
		383	3	00	00	25
			4	00	14	16
			रास्ता	00	00	50
			5	00	00	50
			6	00	09	36
			7	00	00	25
			रास्ता	00	03	54
		384	10	00	06	32
			11	00	09	36
			2719	00	01	26
			2778	00	00	75
2. झर	18	94	15	00	05	81
		4	19	00	12	90
			20	00	00	25
			21	00	01	01
			22	00	07	59
			23	00	05	31
		8	3	00	12	90
3. BIYANA KHERA	—	97	6	00	07	08
		98	11	00	03	79

**श्रम एवं रोजगार मंत्रालय**

नई दिल्ली, 15 सितम्बर, 2009

का. आ. 2874.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ ट्रान्स्वोर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, ऐरनाकुलम के पंचाट (संदर्भ संख्या 19/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-9-2009 को प्राप्त हुआ था।

[सं. एल-12011/10/2008-आईआर(बी-1)]

अजय कुमार गौड़, डेस्क अधिकारी

**MINISTRY OF LABOUR AND EMPLOYMENT**

New Delhi, the 15th September, 2009

S. O. 2874.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 19/2008) of the Central Government Industrial Tribunal-cum-Labour Court, Earnakulam as shown in the Annexure, in the Industrial Dispute between the management of State Bank of Travancore and their workmen, received by the Central Government on 15-9-2009.

[No. L-12011/10/2008-IR(B-1)]

AJAY KUMAR, Desk Officer

**ANNEXURE**

**IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, EARNAKULAM**  
Present : Shri P. L. Norbert, BA., LL.B., Presiding Officer

(Thursday the 20th day of August, 2009/29th Sravana, 1931)

I. D. 19/2008

<b>Union</b>	:	The General Secretary, State Bank of Travancore Staff Union (BEFI), TC/42/2003 BEFI Centre, Mele Thampanoor, Trivandrum-I (In person)
<b>Management</b>	:	The Zonal Manager, State Bank of Travancore, Zonal Office, Kozhikode. (In person)

This case coming up for hearing on 14-8-2009, this Tribunal-cum-Labour Court on 20-8-2009 passed the following:

**AWARD**

This is a reference made under Section 10 (1)(d) of Industrial Disputes Act. The reference is :

“Whether the action of the management of State Bank of Travancore in dismissing Sri M. Raman w.e.f. 27-9-2004 against the alleged misconduct of financial misappropriation, is fair and justified? To what relief is the workman concerned entitled?”

2. The facts of the case in brief are as follows:—Shri M. Raman was a Peon of State Bank of Travancore, Karipur branch. He was entrusted two cheque books to be sent by post to two NRI customers. It is alleged that he removed two cheque leaves from the cheque books and destroyed the remaining. Utilising the two cheque leaves he forged the signature of two NRI customers and withdrew Rs. 30,000 from their accounts. He was chargesheeted, a domestic enquiry was conducted, he was found guilty of the charges and was dismissed from service.

3. According to the union the relevant records concerning dispatch of cheque books were not produced in the enquiry. None of the witnesses of the management has given evidence that the cheque books were mailed by the workman. With regard to the withdrawal of money the only role of the workman was that he had issued token to the parties as usual and nothing more. The amounts were paid to the persons who had the tokens. None of the witnesses have stated that amounts were paid to the workman. There is no evidence to prove that the workman has committed the misconduct alleged. The management had obtained confession statement by threat and pressure. The workman is entitled to be reinstated.

4. According to the management the workman had admitted his guilt voluntarily. He also remitted the money to make good the loss. There is enough evidence to prove the guilt of the workman. He was the only Peon in Karipur branch and he alone used to take postal articles to the post office for sending. The cheque amounts must have been received by a 3rd person to whom tokens were issued by the workman. Concerned subsidiary registers of the relevant dates were written by the workman and there were several mistakes which were corrected by him. The proved misconduct calls for deterrent punishment of dismissal. It is in no way excessive.

5. In the light of the above contentions the following points arise for consideration :

1. Are the findings sustainable ?
2. Is the punishment proper ?

6. The evidence consists of the oral testimony of MW1 and documentary evidence of Ext. M1 on the side of the Management.

7. Point No. 1:—There are 4 charges levelled against the workman. The first charge is that during 1-9-2001 to 28-2-2003 the workman while on duty and in the process of mailing two cheque books to two NRI customers, had removed stealthily two cheques leaves. The 2nd charge is that he had destroyed the two cheque books containing the remaining cheque leaves. The 3rd and 4th charges are that he had forged the signatures of two NRI customers, drawn the two cheques for Rs. 10,000 and 20,000 respectively and encashed them fraudulently. The workman gave a confession statement to the management admitting his guilt. Ext. PEX-18 is the confession statement. All the 4

charges are admitted by him and he undertook to remit Rs. 30,000 by 3-3-2003.

8. According to the union the Enquiry Officer has based his findings on the confession statement of the workman. But it was obtained under duress. It is no doubt true that confession statement was relied on by the Enquiry Officer. But it may not be correct to say that the findings are based solely on the confession statement. Ext.PEX-18 confession statement is dated 26-2-2003. The union has examined 4 witnesses on the defence side. DW1 is a retired Head Master. He struck acquaintance with the workman during bank transactions. He used to entrust money to the workman for taking DD for him (page-114 of proceedings in Ext.M1). The witness says that the workman was always honest. However he has no direct knowledge about any of the incidents alleged in this case. DW1 has also deposed that he came to know that the workman and his father were threatened by bank officers and under compelled circumstances the workman had to give an admission statement (page-120). DW2 is a friend of workman. He also says that he came to understand that the workman was threatened and induced to admit the guilt. On the basis of the promise by the management that no action would be taken in case money is remitted, an amount of Rs. 30,000/- was raised and the witness also had helped in raising the money and he himself contributed some amount (pg.-129). He says that the workman is an honest person and he used to entrust money for remittance (pg-128). DW3 is the father of the workman and an aged person. He says that a bank officer had been to his house and threatened him that action would be taken through police regarding cheque transactions of his son. He went to bank, talked to the officers and on their promise that no action would be taken the amount was remitted by his son. DW4 is the wife of the workman. She also says that a bank officer came home and threatened her and her father-in-law. DW3 then went to the bank. Her husband gave a confession statement because of the threat. The money was remitted by him on the promise of the bank that no action would be taken against him (page 154 of Ext.M1). It is to be noted that DW3 and 4 are family members of the workman. Their testimony can be taken only with a pinch of salt. DW1 and 2 have only hearsay knowledge from the workman and his father about the alleged threat by bank officers. Regarding the incidents of removing cheque leaves and encashment of cheques they have absolutely no knowledge.

9. PW8 is the Chief Manager and investigating officer of the bank. He had been to the house of the workman. He had met the father of the workman and called him to the bank. The workman's father accompanied him to the bank. PW8 says that the father of the workman was called to the bank in order to verify whether he was the person who had received the cheque amounts. He denies that there was any threat from the bank officers or any promise that no action would be taken. He says that Ext.PEX-18 confession

statement was given by the workman voluntarily and in the presence of many staff (page 89 of Ext.M1). PW2 is a Clerk of the bank. He says that Ext.PEX-18 confession statement was read out by PW8 in the presence of staff and the workman. The workman then asked for pardon to everyone (page 23). PW3 is a Cashier. He too says that Ext.PEX-18 was read out to the staff in the presence of workman by PW8. PW5 is Branch Manager. He also says that Ext.PEX-18 was read out in the presence of staff including him and the workman. PW5 felt sad and wept asking, "Do you do this" (page 54). PW6 is Clerk cum Cashier. She also says that Ext.PEX-18 was read out in the presence of all and workman. The workman asked for pardon to all. Thus the evidence of management witnesses is to the effect that the confession statement was given voluntarily by the workman and he was regretful. Ext.PEX-18 was given on 26-2-2003. Almost two months thereafter for the first time, he raised the protest that the confession statement was given under threat and coercion. Ext.DEX-4 is the explanation to the memo of charges. It is in the explanation that the workman comes with a contention that the confession statement was not voluntary. This is not the normal conduct of an innocent person. If at all he was threatened with police action and obtained a confession statement, as soon as he was out of the office or at least when he was suspended from service, he should have raised the protest immediately by writing either to the Branch Manager or other superior officers of the bank. The circumstances reveal that there is no truth in his contention that Ext.PEX-18 is a forced statement. Therefore it could be relied on by the Enquiry Officer. That apart there is independent evidence to prove the allegations.

10. The workman was the only Peon in Karipur branch admittedly. The other sub-staff was a part-time sweeper, Muhammed alias Kunjappoo. He is PW1. He says that he never used to take postal articles for mailing. It was done only by the workman (page-16). The union had a suggestion that on the days whenever the workman was absent PW1 used to take the postal covers to the post office. But PW1 denies it. There is no record to prove that the work if mailing was entrusted to PW1 at any time. PW2 Clerk says that NRI cheque books are issued after entering them in ledger and cheque book issued register. Thereafter it is given to the Accountant and the Accountant after verification put them in despatch box. At that time NRI cheque books were sent by ordinary post. PW3 cashier says that the postal covers used to be taken to post office by workman as well as PW1 (page 38). The defence had produced in the enquiry Ext.DEX-1 copy of attendance register (2 pages) and DEX-2 copy of cheque book issued register (page 45 and 47). But it has come out in evidence that two cheque books were issued to two NRI customers. But it is not known on which date actually the cheque books were taken to the post office for sending. Therefore even assuming that PW1 also used to mail postal covers, it is not known whether

cheque books were actually sent on a day when the workman was absent. It is for the workman to show that in fact he was absent on the particular day on which the cheque books were mailed. In the light of the above circumstances and evidence including Ext.PEX-18 admission it has to be said that the cheque books were entrusted to the workman for sending them by post.

11. The allegation that he had removed stealthily two cheque leaves out of the cheque books can be proved only from the circumstances that those two cheque leaves were drawn on the account of two NRI customers and encashed them. Ext.PEX-1 is the cheque for Rs. 10,000 drawn on the account of Sri Abdul Gafoor and Ext.PEX-2 is the cheque for Rs. 20,000 drawn on the account of Sri Moosakutty. Both are NRI account holders. PW2 Clerk says that Ext.PEX-1 cheque when presented for encashment was posted by him. It was passed by PW7 Assistant Manager (Accounts). The amount was paid by PW3 Cashier (page 33 of the proceedings). Ext.PEX-2 was posted by PW6 Clerk-cum-Cashier. It was passed by PW4 Assistant Manager and was paid by PW2 Clerk (page 19). However neither PW3 nor PW2, who paid the cheque amounts under Ext.PEX-1 and 2 respectively, are able to identify the person to whom the cash was paid. It is humanly not possible to remember each and every person who receive money from the counter. It was not necessary unlike contended by the defence, for the workman to receive money in order to accuse him of fraudulent withdrawal of money and misappropriation. It is admitted that tokens in respect of the two cheques were issued by the workman, which is usually done by him. The persons who received the tokens might have received the amount and the workman might have made arrangements with them to receive same on his behalf. Exts.PEX-11 and 12 are SB subsidiary registers relevant pages bearing the dates of 2-12-2002 and 23-1-2003. The cheque amounts were recorded in the registers by the workman. PW2 says that relevant entries in Exts.PEX-11 and 12 were made by the workman (page 21 of the proceedings). PW6 Clerk-cum-Cashier also says that relevant entries in Exts.PEX-11 and 12 were made by the workman in his own handwriting and there are corrections in the entries. Though the workman was a Peon he used to write registers, withdrawal slips and issue tokens with a view to help the staff as well as customers and nobody had objected. However in the present case two NRI customers had complained to the Branch Manager that they had not withdrawn the aforementioned amounts from their accounts. They also said that they have not received the cheque books. PW5 Branch Manager has given evidence to this effect. PW4 the Assistant Manager Smt. M. Karthiyani says that the workman as soon as he came to know that the NRI customers had complained about the withdrawal he met PW4 in her house and told that if the money in dispute is remitted the account holders may not proceed with the

complaint. It is submitted by the management that the workman was showing undue interest in the matter. The evidence and circumstances lead to the conclusion that workman came in possession of two cheque leaves and they were utilised for withdrawing the money. The workman remitted Rs. 30,000 as per sundry deposit account voucher dated 28-2-2003 (PEX-6). It is not proved that there was any promise from the management to drop the disciplinary proceedings if money was remitted. Besides as per Ext. PEX-18 confession statement there is clear admission of withdrawal of money through disputed cheques.

In the light of this evidence and circumstances there can be no doubt that the workman is the culprit and the Enquiry Officer has rightly found so.

13. Point No. 2:—The punishment is dismissal from service. No mitigating circumstances are mentioned in the claim statement. It is submitted by the learned counsel for the union that the workman had an unblemished service and he belongs to a poor family. The family backgrounds and other aspects were considered by the Disciplinary authority as well as the appellate authority. But they were reluctant to show any leniency in the matter of punishment. The Branch Manager as well as other officers of the bank had put so much of trust in the workman that they allowed him to do certain clerical work also. But he took advantage of the position and committed the mischief. The bank cannot tolerate such incidents as it will affect its reputation, a financial institution where customers money is handled. Therefore the management cannot be blamed for imposing the maximum punishment of dismissal. Considering the gravity of the offence the punishment cannot be said to be shockingly disproportionate. Hence this court does not propose to alter the same.

In the result, an award is passed finding that the action of the management in dismissing the workman Sri M.Raman from service is legal and justified and he is not entitled for any relief.

The award will come into force one month after its publication in the Official Gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 20th day of August, 2009.

P. L. NORBERT, Presiding Officer

#### Appendix

Witness for the Union- Nil

Witness for the Management

MW 1- 23-7-2009 Shri P. Muraleedharan.

Exhibits for the Union - Nil

Exhibits for the Management

M 1 - Enquiry File.

नई दिल्ली, 17 सितम्बर, 2009

क्र. अ. 2875.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल.के प्रबंधन के संबद्ध नियोक्ताओं और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ग्राम न्यायालय सं. 1, धनबाद के पंचट (संदर्भ संख्या 86/1990) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-9-2009 को प्राप्त हुआ था।

[सं. एल-20012/306/89-आईआर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 17th September, 2009

S. O. 2875.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.86/1990) of the Central Government Industrial Tribunal/Labour Court, No.-1, Dhanbad now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C.L. and their workman, which was received by the Central Government on 17-9-2009.

[No. L-20012/306/89-IR(C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL No. 1, AT DHANBAD**

Present : Shri H.M.Singh, Presiding Officer

In the matter of an Industrial Dispute under Section 10  
(1) (d) of the I. D. Act, 1947

Reference No. 86 of 1990

Parties : Employers in relation to the management of  
Bhatdee Colliery in Mahuda Area No. II of M/s. BCCL  
and their workman.

**APPEARANCES**

On behalf of the employers : Mr. D. K. Verma, Advocate

On behalf of the workman: None.

State : Jharkhand

Industry : Coal.

Dated, Dhanbad, the 9th Sept. , 2009

**AWARD**

The Government of India , Ministry of Labour, in exercise of the powers conferred on them under Section 10 (1) (d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/306/89-I.R. (Coal-I), dated the nil.

**SCHEDULE**

"Whether the management of Bhatdee Colliery in Mahuda Area No. II of M/s. Bharat Coking Coal Ltd. , P.O. Mohuda, Dt. Dhanbad (Bihar) is justified in dismissing the workman Shri Ram Singh Under-ground Munshi w.e.f. 22-2-1988. If not, to what relief the said workman is entitled?"

2. In this case both the parties appeared and filed their respective Written Statement, documents etc.

Thereafter the case proceeded along its course. However, in course of proceeding the representative of the workman submitted that the concerned workman involved in the dispute has died and he filed a substitution petition and prayed to fix the case for hearing on the said petition. On the date fixed for hearing on substitution petition none turned up on behalf of the workman before the Tribunal to press the substitution petition. Accordingly substitution petition has been dismissed as not pressed.

Since the concerned workman has already died and nobody has been substituted, a 'No dispute' Award is passed in this reference presuming non-existence of any industrial dispute between the parties.

H. M. SINGH, Presiding Officer

नई दिल्ली, 17 सितम्बर, 2009

क्र. अ. 2876.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल.के प्रबंधन के संबद्ध नियोक्ताओं और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ग्राम न्यायालय सं. 1, धनबाद के पंचट (संदर्भ संख्या 196/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-9-2009 को प्राप्त हुआ था।

[सं. एल-20012/307/99-आईआर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 17th September, 2009

S. O. 2876.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.196/99) of the Central Government Industrial Tribunal/Labour Court, No.-1, Dhanbad now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C.L. and their workman, which was received by the Central Government on 17-9-2009.

[No. L-20012/307/99-IR(C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL No. 1, AT DHANBAD**

In the matter of an Industrial Dispute under Section 10  
(1) (d) of the I. D. Act, 1947

Reference No.196 of 99

Parties : Employers in relation to the management of  
Kusunda Area of M/s. BCCL.

And

Their workman

Present : Shri H.M.Singh, Presiding Officer

**APPEARANCES**

For the Employers : Sri S. N. Ghosh , Adv.

For the Workman : Sri C. Prasad, Adv.

State : Jharkhand

Industry : Coal

Dated, 3rd September, 2009

### AWARD

By Order No. L-20012/ 307/99 (C-I), dated, 26-11-1999 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Disputes Act, 1947 referred the following dispute for adjudication to this Tribunal:

“Whether the action of the management of Kusunda Area of BCCL in not giving Gr. ‘D’ to Shiv Dayal Sah E.P. Electrician of KOCP/Dhansar on the basis of valid House Wiring Certificate (Issued by Government Of Bihar) is discredatory and unjustified? If so, what relief the workman is entitled to and from what date?”

This case was received in this Tribunal on 7-12-99. Thereafter on 18-6-09 Sri C. Prasad, Advocate appeared on behalf of the workman concerned and filed a petition stating therein that the concerned workman is not interested in contesting the case and wanted to withdraw the case.

In such circumstances, I render a No dispute Award in this case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 17 सितम्बर, 2009

का. आ. 2877.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 1, धनबाद के पंचाट (संदर्भ संख्या 335/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-9-2009 को प्राप्त हुआ था।

[सं. एल-20012/316/2000-आई आर (सी-1)]  
स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 17th September, 2009

S. O. 2877.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 335/2000) of the Central Government Industrial Tribunal/Labour Court, No. -1, Dhanbad now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of M/s. E.C.L. and their workmen, which was received by the Central Government on 17-9-2009.

[No. L-20012/316/2000-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 1, DHANBAD

In the matter of a reference under Section 10 (1) (d) & (2A) of Industrial Disputes Act, 1947

Reference No. 335 of 2000

Parties : Employers in relation to the management of Raj Mahal Area of M/s. E. C. L.

And

Their workman

Present : Shri H. M. Singh, Presiding Officer

### APPEARANCES

For the Employers : None

For the Workman : None

State : Jharkhand

Industry : Coal

Dated, 2nd September, 2009

### AWARD

By Order No. L-20012/ 316/2000-(C-I), dated, 27-11-2000 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Disputes Act, 1947 referred the following Disputes for adjudication to this Tribunal:

“Whether the demand of the Jharkhand Mazdoor Morcha from the management of Eastern Coalfield Ltd, Rajmahal Area for payment of remuneration/honorarium to S/Shri N. C. Pandit, Manan Tiwary, Mubarak Hassan & Rusole Murrur for attending training programme is justified? If so, to what relief are the workman entitled?”

This reference case was received in this Tribunal on 26-12-2000. Thereafter notices were sent to the parties to file written statement by the sponsoring union/workmen. In spite of notice sent by speed post no written statement has been filed by the workmen till 8-6-09. It, therefore, appears that neither the concerned workman nor the sponsoring union is interested to contest the case.

In such circumstances, I render NO DISPUTE AWARD in this reference case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 17 सितम्बर, 2009

का. आ. 2878.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टाटा आर्यन एण्ड स्टील कम्पनी के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 1, धनबाद के पंचाट (संदर्भ संख्या 339/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-9-2009 को प्राप्त हुआ था।

[सं. एल-20012/341/2000-आई आर (सी-1)]  
स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 17th September, 2009

S. O. 2878.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 339/2000) of the Central Government Industrial Tribunal/Labour Court, No. -1 Dhanbad now as shown in



the Annexure, in the Industrial Dispute between the employers in relation to the management of M/s. TISCO Ltd. and their workman, which was received by the Central Government on 17-9-2009.

[No. L-20012/341/2000-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 1, DHANBAD

In the matter of a reference under Section 10 (1) (d) & (2A) of Industrial Disputes Act, 1947

Reference No. 339 of 2000

Parties : Employers in relation to the management of  
Sijua Colliery of M/s. TISCO Ltd,

And

their workman.

Present : Shri H.M. Singh, Presiding Officer

#### APPEARANCES

For the Employers : None

For the Workman : None

State : Jharkhand

Industry : Coal

Dated, 1st September, 2009

#### AWARD

By Order No. L-20012/341/2000-(C-1), dated, 29-11-2000 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Disputes Act, 1947 referred the following dispute for adjudication to this Tribunal.

"Whether the action of the management of Sijua Colliery of M/s. TISCO in dismissing Sri Ram Ratan Harijan from the services of the company w.e.f. 15-12-97 is justified? If not, to what relief is the concerned workman entitled?"

This reference was received in this Tribunal on 26-12-2000. In spite of sending notices to the concerned workman, no written statement has been filed on behalf of the concerned workman till 8-6-09.

It appears that neither the concerned workman nor the sponsoring union is interested to contest this case.

In such circumstances, I pass No dispute Award in this case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 17 सितम्बर, 2009

का. आ. 2879.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नार्थदन रेलवे प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण

लखनऊ के बंचाट (संदर्भ संख्या 130/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-9-2009 को प्राप्त हुआ था।

[सं. एल-41012/33/2002-आईआर(बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 17th September, 2009

S. O. 2879.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.130/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure, in the Industrial Dispute between the management of Northern Railway and their workmen, which was received by the Central Government on 17-9-2009.

[No. L-41012/33/2002-IR(B-1)]

AJAY KUMAR, Desk Officer

#### ANNEXURE

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

#### PRESENT

N. K. PUROHIT, Presiding Officer

I. D. No. 130/2002

Reference No. L-41012/33/2002-IR (B-1)  
dated : 18-07-2002

#### BETWEEN

The Divisional Secretary,  
Railway Mazdoor Union, 1150-J, CPH Colony  
Lucknow (U.P.)-226001  
(Espousing the cause of Sh. R. K. Pandey)

#### AND

The Dy. Chief Engineer (Bridge Workshop)  
Northern Railway, Charbagh  
Lucknow (U. P.) 226001.

#### AWARD

Dated : 08-09-2009

1. By Order No. L-41012/33/2002-IR(B-1), dated, 18-07-2002 the Central Government in the Ministry of Labour, New Delhi in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this Industrial dispute between The Divisional Secretary, Railway Mazdoor Union, 1150-J, CPH Colony, Northern Railway, Charbagh, Lucknow and the Dy. Chief Engineer (Bridge Workshop) Northern Railway, Charbagh, Lucknow for adjudication.

2. The reference under adjudication is as under :

"क्या प्रबंधन, उत्तर रेलवे (ब्रिज वर्कशॉप) चारबाग, लखनऊ द्वारा श्री आर. के. पाण्डे, एम.सी.सी. को रेलवे बोर्ड के आदेश पत्र दिनांक 16-08-1978 तथा कैंट (ओ.एस.सं.-133/91) के निर्णय के अनुसार दिनांक 01-01-1973 से कब्जा लेने में

वेतन निर्धारण [upgradation & Fixation] अपग्रेडेशन एण्ड फिक्सेशन नहीं किया जाना न्यायोचित तथा न्यायसंगत है? यदि नहीं, तो कर्मकार किस अनुतोष का अधिकारी है?"

3. Undisputedly the workman was initially appointed as casual labour on 21-1-61 and subsequently appointed as Khalasi w.e.f. 4-11-71 and promoted as Storeman w.e.f. 12-6-72. It is also not disputed that workman was promoted as Material Checker Gr. Rs.225-306/825-1200(RPS) on adhoc basis w.e.f. 1-12-75 and became regular as Material Checker w.e.f. 27-4-77 and after that he was selected for the post of Material Checking Clerk Gr.260-400/950-1500(RPS) w.e.f. 15-2-84.

The contention of the union is that vide Railway Board, New Delhi Order dtd. 16-8-78, the post of Material Checker was upgraded as Material Checking Clerk, as such the workman was entitled for upgradation as Material Checking Clerk w.e.f. 1-12-75. It is also contended that as per decision in O.A. 133/91 of CAT, Lucknow against which the SLP filed by the Railway has been dismissed, the workman is entitled for benefit of upgradation as given to similar situated other petitioners in the said O.A. and all consequential benefits and pensionary benefits arising thereof from the date his juniors Sh. Shitla Deel and Sh. R. P. Sanik & others were promoted.

5. The railway management has denied the claim of the union. It is contended that the workman is retired from the railway on 31-12-2001 and all settlement dues have been paid to him. As per decision of the CAT, Lucknow in O.A. 133/91 a provisional seniority list was prepared and the benefit of the decision was extended to the petitioners therein. The said provisional seniority list has been circulated by the railway administration but the workman never raised any objection nor made any representation against the seniority list. It is alleged that the workman was transferred from Lucknow to Jalandar but he failed to join his duty. The railway management has denied that any juniors to the workman has been promoted as Sr. Clerk from the post of Material Checking Clerk. Further contended that claim of relief of upgradation and fixation since 1-1-73 is highly belated and it should not be adjudicated after the lapse of about 30 years as no sufficient and reasonable cause for such delay has been explained by the workman. Therefore, the claim of the union is liable to be rejected.

6. The union has examined Sh R. K. Pandey and railway management has examined Sh. D. C. Goel, Executive Engineer in support of their respective case. The union in support of its case has filed copies of the judgment of CAT, Lucknow in O.A. 133/91 and Railway Board's order dt. 16-8-78.

7. The learned representative on behalf of the union has contended that as per Board's order dtd. 16-8-78 and decision of the CAT, Lucknow in O.A. 133/91 workman was to be upgraded as Material Checking Clerk w.e.f. 1-12-75. The railway management has not prepared seniority list as per direction in said O.A. As regards delay in raising

dispute, he has contended that the representations given by the workman were not considered by the railway management besides this the SLP was filed against the decision of the CAT, Lucknow in the said O.A. which was dismissed on 16-8-94 and subsequently, the decision of the CAT, Lucknow was implemented in the year 1996. He has also contended that benefit of the said decision of CAT, should have been extended to the workman.

8. Per contra, the learned representative on behalf of the railway has argued that the decision of the CAT, Lucknow has been fully implemented and the benefit of the decision has been given to the petitioners therein. As per Railway Board's letter dtd. 24-7-95 the benefits of the above decision of CAT was to be extended to the petitioners only. Moreover, the workman was not similarly situated employee as he was punished several time due to inaction in duty. The union has raised the present dispute after retirement of the workman. The workman never made any representation challenging the provisional seniority list dtd. 25-9-96. he has also pointed out that union has claimed upgradation w.e.f. 1-12-1975 whereas in reference under adjudication it is to be decided whether the workman was entitled for upgradation w.e.f. 1-1-73.

9. I have given my thoughtful consideration on the rival submissions of both sides and perused the relevant material on record.

10. The relevant extract of the letter dtd. 16-8-78 of Railway Board, on the basis of which the union has raised the present industrial dispute, is reproduced as under;

"As a result of discussions in the P. N. Meeting between the Railway Board and the AIRP held on 10/11-4-78, the Railway Ministry have received the question of fixation of pay of the incumbents of the posts of Material Checkers upgraded as Material Clerks in terms of the orders contained in Board's letter No. PC-62/PS-5/SS-1 dtd. 27-9-63 and No. PC-65/EE-4/1 dtd. 26-10-72. It has been decided, in supersession of all the prevision clarifications on the subject that the pay of the incumbents of the posts of Material Checkers, Tool Checkers etc. upgraded as Material Clerks, scale Rs. 110-180(AS) Rs. 260-400(Rs.) as per orders aforesaid should be refixed proforma under Rule 2018-B(FB 22-C) no arrears on this account however, being paid for the period prior to 1st August, 1978."

11. In O.A. No. 133/91 the matter regarding implementation of the aforementioned order dtd. 16-8-78 was under consideration before the CAT, Lucknow the stand of the applicants therein was that after circular of 16-8-78, earlier circular superceded and they were entitled to pay scale of material clerks w.e.f. 1-1-1973 or the date of promotion to the post of material checkers which ever is later. No selection process is required as the same is not

stipulated in letter dt. 16-8-79 whereas the stand of the respondent railway was that selection process is must to make material clerks as per circular dt. 16-8-78. The following directions were given in the said O.A. 133/91;

“The applicants 1 to 3 were promoted in April to June, 1977 and the applicants 4 to 7 were promoted in September, 1985, and the applicants 8 to 9 were promoted in 1989 i.e. within these nine applicants only 3 were promoted before 1978. Vide letter dt. 24-10-72 the Railway Board after meeting of Joint Consultative Machiner laid down the criteria and pay scales of pay of Food Issuers, Coak Checkers, Stores Issuers, Material Checking Clerk, Tool Checkers etc., and criteria for determining the scale of pay of staff dealing with store matters in departments other than Stores, veriously designated as Clerk, Coal Issuers/ Clerk ect.”

12. In the instant case this is not disputed that workman was promoted on 12-6-72 as Storeman in Grade Rs. 80-110 and he was promoted as material checker on adhoc basis on 1-12-75 and selected as material checker in grade Rs. 225-308 on 27-4-1977. Since on 1-1-73 he was not on the post of material checker, the workman was not entitled for upgradation of the post of material clerk/MCC on 1-1-73 as per order dt. 16-8-78 thus, the action of the railway administration in not upgrading the workman as per said order w.e.f. 1-1-73 is not unjustified.

13. Admittedly, in O.A. 133/91 the benefit of upgradation has been given to the applicants therein in the light of order dt. 16-8-78 and benefit of the decision in the said O.A. has not been extended to the workman. The management witness Sh. D. C. Goel, Dy. Chief Engineer (Bridge) has stated that as per letter or Railway Board No. E(NG)I-92/SR6/43 dt. 24-7-95 the benefit of decision in the said O.A. was to be given only to the applicant therein. The copy of the said letter is on the record. As per the above Railway Board letter dt. 24-7-95 in reference to Hon'ble Supreme Court Judgment dt. 16-8-94 in C.A. 15120/93 filed against judgment dt. 28-8-92 of CAT, Lucknow in O.A. 133/91 Hari Dutt and others Vs. Union of India, directions were given to the General Managers of the Railway to implement the order of the CAT, Lucknow with further directions that the benefit of judgment may be extended to the petitioners only. The workman has not challenged the validity of the said order dt. 24-7-95 nor it is subject matter under adjudication, therefore, in the light of decision of Railway Board the action of the railway administration in not extending the benefit of decision in said O.A. 133/91 to the workman can not be said to be illegal or unjustified.

14. Now it is to be considered whether in pursuance of order dt. 16-8-78 the workman is entitled for upgradation to the post of material checker grade from the date of his

promotion on the post of material clerk i.e. 1-12-1975 when he was promoted as adhoc material clerk. The management witness Sh. D. C. Goel has stated that the workman is retired from railway on 31-12-2001 and all settlement dues have been paid to him. Workman has raised fabricated industrial dispute he has further stated that workman is not similarly situated employee and he already punished by several punishments due to inaction in duty and after more than 30 years the present industrial dispute has been raised through unrecognized union therefore, claim is liable to be rejected. The workman in his statement on affidavit has reiterated earlier pleadings in the statement of claim. In cross examination he has admitted that no reason has been assigned for delay in raising industrial dispute in his statement of claim but he has filed documents in this regard. He has also stated that he had made several representations and assurances were given by the railway administration.

15. The benefit of upgradation in the scale of material clerk/MCC was given in the year 1978 and the dispute has been raised in this regard in the year 2001 i.e. after lapse of 23 years. There is neither pleadings nor any evidence to explain such inordinate delay though workman has stated the several representations were given by him but in support of his statement he has not placed any copy of such representation on record moreover, there is no averments in this regard in his statement of claim. Further, the decision of CAT was given in the year 1992 and SLP in Hon'ble Apex Court was rejected in the year 1994 but the workman did not raise any dispute regarding his upgradation as per order of the CAT till year 2001. No explanation has been given for delay during this period also. Apart from this he was not party in the O.A. 133/91 and he was at liberty to raise dispute regarding upgradation after he got adhoc promotion as material checker in the year 1975. Although the provision of Limitation Act are not material in the matter of industrial dispute but it does not mean the workman or union is free to raise dispute for any stale claim at any time. The power conferred under the I.D. Act must be exercise within a reasonable period and period of 23 years can not be said to be reasonable period for claiming relief in pursuance of order of 16-8-78 without assigning any reason & explanation for such inordinate delay. Therefore, in view of the laches on the part of workman and the union concerned, the workman is not entitled for the relief even from the date of his promotion as material clerk w.e.f. 1-12-1975.

16. In view of the above discussion the action of the railway administration in not giving the benefit of upgradation and fixation w.e.f. 1-1-1973 in accordance with the order dt. 16-8-78 and decision of the O.A. 133/91 of CAT, Lucknow is not unjustified and illegal and workman is not entitled for the relief claimed by him.

17. The reference under adjudication be answered accordingly.

LUCKNOW  
08-09-2009

N. K. PUROHIT, Presiding Officer

नई दिल्ली, 17 सितम्बर, 2009

का. आ. 2880.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वेस्टर्न रेलवे प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-2 मुम्बई, के पंचाट (संदर्भ संख्या 33/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-9-2009 को प्राप्त हुआ था।

[सं. एल-41012/189/2001-आईआर(बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 17th September, 2009

S. O. 2880.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.33/2002) of the Central Government Industrial Tribunal-cum-Labour Court-2 Mumbai, as shown in the Annexure in the Industrial Dispute between the management of Western Railway and their workman, which was received by the Central Government on 17-9-2009.

[No. L-41012/189/2001-IR(B-I)]

AJAY KUMAR, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 2, MUMBAI

Present—A.A.Lad, Presiding Officer

Reference No. CGIT-2/33 of 2002

Employers in relation to the Management of Western  
Railway

The Divisional Railway Manager (Estd.),  
Western Railway,  
Mumbai Central,  
Mumbai-400008.

... First Party

V/s.

Their Workmen

Shri Vijay Mahadeo Gavli,  
Laxman Motilal Patel Chawl,  
Dattawadi, Kurar Village,  
Malad (E),  
Mumbai-400008.

... Second Party

#### APPEARANCE:

For the Employer : Mr. Delilah Fernandez, Advocate

For the Workmen : In person -Absent

Date of passing the Award : 10-08-2009.

#### AWARD

The matrix of the facts as culled out from the proceedings are as under :

1. The Government of India, Ministry of Labour by its Order No. L-41012/189/2001-IR (B-I) dated 22nd March, 2002 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication :

"Whether the action of the Management of Western Railway, Mumbai Central, Mumbai in removal from the services to Shri Vijay Mahadeo Gavli after imposing penalty is justified? If not, what relief the workman concerned is entitled?"

2. Reference was posted for cross examination of the 2nd Party. However, workman remained absent. His Advocate by Exhibit 23 withdrawn his appearance. Again Court sent notice, Exhibit 24, to the concerned workman which was returned unclaimed vide report Exhibit 25.

3. All this reveals that, the concerned workman is not interested in proceeding with the reference. So marking his absence and noting it following order is passed.

#### ORDER

Reference is disposed of for want of prosecution.

Bombay,

A. A. LAD, Presiding Officer

10th August, 2009

नई दिल्ली, 23 सितम्बर, 2009

का. आ. 2881.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सिंडिकेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, नई दिल्ली के पंचाट (संदर्भ संख्या 47/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-9-2009 को प्राप्त हुआ था।

[सं. एल-12012/87/2004-आईआर(बी-II)]

राजेन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 23th September, 2009

S. O. 2881.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.47/2004) of the Central Government Industrial Tribunal-cum-Labour Court-No. 1 New Delhi, now as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Syndicate Bank and their workman, which was received by the Central Government on 22-9-2009.

[No. L-12012/87/2004-IR(B-II)]

RAJINDER KUMAR, Desk Officer

## ANNEXURE

BEFORE **Dr. R.K. YADAV, PRESIDING OFFICER,**  
**CENTRAL GOVERNMENT INDUSTRIAL**  
**TRIBUNAL-CUM-LABOUR COURT No. 1,**  
**NEW DELHI**

I.D.NO. 47/2004

Shri Suresh Kumar Yadav,  
 C/o Syndicate Bank, Nuh Branch,  
 Gurgaon

...Workman

Versus

The Asstt. General Manager,  
 Syndicate Bank,  
 Sarojini House,  
 %, Bhagwan Dass Road,  
 New Delhi - 110001

...Management

## AWARD

Suresh Kumar Yadav was working as a clerk in Syndicate Bank in July, 99. He was posted in Farukh Nagar Branch of the Bank. A charge sheet was served upon him for his riotous and disorderly behaviour. He was suspended, pending departmental enquiry. During the course of enquiry, he expressed his regrets over the incident and requested not to enter into merits and demerits of the case, assuring his good conduct in future. He also requested for a lenient view in the matter by bringing it under clause 19.12(e) of the Bipartite Settlement. With a view to give him one opportunity a lenient view was taken by the Disciplinary Authority and punishment of reduction of basic pay by two stages for a period of two years each was proposed for gross misconduct in clause 19.5 (c), 19.5(d) and 19.5(j) of the Bipartite Settlement. Show cause notice dated 25-7-2000 was sent. In response to the said show cause notice, the 'workman expressed his regrets for his misconduct, *vide* letter dated 27-7-2000 and requested for personal hearing on punishment. Personal hearing was given to him on 28-7-2000 and thereafter the Disciplinary Authority awarded punishment of reduction of basic pay by two stages for a period of two years each for the misconducts, referred above, which punishments were to run concurrently. It was further ordered that neither the period of suspension will be treated as service except for the purpose of terminal benefits, nor he was eligible for any salary for that period except for subsistence allowance already paid. Order dated 29-7-2000 was assailed before the Appellate Authority, but to no avail. Shri Yadav was reduced by two stages in the pay scale *vide* order dated 20-10-2000. When his basic pay was fixed in terms of the said order, he raised an industrial dispute before the Conciliation Officer. Since conciliation proceedings failed, the appropriate Government referred the dispute to this Tribunal for adjudication, *vide* Order No. L-12012/87/2004/IR(B-II) dated, 3-9-2004, with the following terms :

"Whether the action of the management of Syndicate Bank in fixing the pay in pursuance of punishment awarded by the Disciplinary Authority of reduction of basic pay by two stages in the scale of pay for a period of two years on Shri S.K. Yadav. Clerk and non-grant of increments is legal and justified? If not, what relief the workman is entitled to?"

2. Claim statement was filed by the workman, pleading therein that he was working in clerical cadre of the bank and governed by Bipartite Settlements at industry level as well as bank level. While working as clerk in Farukh Nagar Branch of the bank, he was suspended *vide* order dated 29-7-99, pending departmental enquiry. He remained under suspension till 2-8-2000. He was awarded punishment of reduction in basic pay by two stages in the pay scale for a period of two years, *vide* order dated 29-7-2000. The Disciplinary Authority further ordered that his suspension period will not be treated as part of service. The other of the Disciplinary Authority was implemented from the date of his joining the service, on revocation of suspension order. However, the management did not modify order of fitment so as to release increments, fallen due during period of punishment, while restoring his basic pay on completion of the period of punishment. He was getting Rs.8600/- as basic pay before his suspension. On implementation of punishment, he was given basic pay of Rs.7540/- by bringing it two stages down for the two years. After completion of his punishment his basic pay was fixed at Rs.8600/- in August, 2000, whereas he was entitled for two increments one of Rs. 380/- in January, 2001 and other of Rs.680/- in January, 2002. After restoration of his pay, he was eligible for two additional increments, which were not granted to him. As per clause 21 (iv)(c) of 6th Bipartite Settlement dated 14-2-95, he could be brought down to lower stage in the scale of pay upto maximum of two stages. The said Bipartite Settlement nowhere restrict the management for counting punishment period as part of his service. He pleads that fitment given by the management be set aside and his pay may be restored while fixing it at Rs.7540/- in January, 2001 at Rs.7920/- in January, 2002, at Rs. 8600/- as August, 2002. at Rs.8980/- in January, 2003. at Rs.8980/ in January, 2004 and at Rs.8980/- in January, 2005.

3. Management demurred the claim pleading that the workman was suspended *vide* order dated 28-7-99 and subsequently served with charge sheet dated 18-8-99 for gross misconduct of "riotous, disorderly and indecent behaviour on the premises of the bank. The facts giving rise to the misconducts are that on 28-7-99 Ranbir Singh went to the cabin of the branch manager at 10.45 AM and asked him not to make any deduction in respect of loan availed by him as well as for his unauthorized absence between 28-6-99 to 2-7-99. The branch manager expressed his inability to accede to his demand. He started shouting at the branch manager and without any provocation

abused him. Ranbir Singh picked up a SB ledger with an intention to hit the branch manager. He also threatened him of dire consequences. Ranbir Singh was in the habit of coming late to the branch and not discharging his duties properly. He availed various loans beyond his eligibilities by concealing direct/indirect liabilities etc. At that stage Shri S.K. Yadav left his allotted seat and entered into the cabin of the branch manager. He joined Shri Ranbir Singh and abused the branch manager in filthy language. He also broke office telephone, kept on the table of the branch manager. The branch manager referred the matter to the higher authorities. He also lodged a complaint to S.H.O., Police Station Farukh Nagar with a request to protect him as well as the property of the bank. It was decided to hold departmental enquiry. The Enquiry Officer fixed the date for 1st of August, 2000 as well as for 2nd of August, 2000. In the meanwhile workman, *vide* letter dated 24-7-2000 requested Disciplinary Authority not to go into the merits and demerits of the case and expressed his regrets over the matter. He assured of his good conduct in future and requested for leniency in punishment by bringing the matter under clause 19.12(e) of the Bipartite Settlement. In order to give an opportunity to the workman, the matter was considered by the Disciplinary Authority by bringing it under clause 19.12(e) of the Bipartite Settlement by way of proposing punishment of reduction of basic pay by two stages for a period of two years for each of the misconduct, which punishments were to run concurrently. Show cause notice dated 25-7-2000 was served and the workman was called upon to submit his explanation, within ten days. He expressed his regrets *vide* letter dated 27-7-2000 and requested for personal hearing. Disciplinary Authority gave personal hearing to him. The Disciplinary Authority awarded punishment of reduction in basic pay by two stages for a period of two years for each of gross misconduct under clause 19.5 (c), 19.5(d) and 19.5(j) of the bipartite settlement which punishments were to run concurrently. He further ordered that "the period of his suspension will not be treated as service except for the purpose of terminal benefits and he will not be eligible for any salary during this period of the suspension except for the subsistence allowance already paid to him." Consequent upon imposition of the punishment, pay of the workman was reduced by two stages for the period of two years and fitment of his basic pay was communicated *vide* letter dated 20-10-2000 of the Zonal Office. Said fixation order was subsequently modified *vide* order dated 27-10-2000. Fixation of basic pay of the workman was as per guidelines and service conditions applicable to him, in tune with clause 21 (iv)(c) of 6th Bipartite Settlement. *Vide* order dated 16-3-2004 management agreed to release annual increments for the tenure of punishment and re-fixed pay of the workman at Rs.8600 on 1-1-2000, annual increment not released for the period of suspension. His pay was fixed at Rs.7540 on 3-8-2000, when basic pay was reduced by two stages due to punishment. On 1-1-2001 his basic

pay was fixed at Rs.7920 by releasing one annual increment. On 29-7-2002 his basic pay was fixed at Rs.8980 when his pay was restored after completion of punishment. On 29-7-2003 his basic pay was fixed at Rs.8980 besides Rs.421 as fixed personal pay and Rs.121 as professional qualification pay. His pay was fixed at Rs.8980 on 29-7-04, besides fixed personal pay of Rs.421 and professional qualification pay of Rs.242. The said proposal of the management was denounced by the workman and he raised the dispute under reference. It has been claimed that he is not entitled for the relief claimed.

4. On the basis of the pleadings of the parties, following issues were settled:—

1. Whether the enquiry conducted by the management was just, fair and proper?
2. Whether the punishment of reduction of basic pay by two stages in the pay scale awarded to the workman is legal and justified?
3. As in terms of reference.
4. Relief.
5. Shri S.K. Yadav tendered his affidavit in his evidence. Management opted not to cross examine him. Shri T.R. Jain, Manager Personnel, tendered his affidavit in evidence on behalf of the bank. Workman opted not to cross examine him. No other witness was examined by the parties.

6. Arguments were heard at the bar. Shri B. K. Prasad, Authorized Representative, for the workman raised his submissions over the matter. Shri Rajesh Mahendru, Authorized Representative, advanced arguments on behalf of the management. I have given my-careful consideration to the arguments advanced at the bar and cautiously perused the record. My findings on the issues involved in the controversy are as follows:—

Issue No.1 and 2

7. The workman as well as the management present that when punishment of reduction of basic pay by two stages in the scale of pay for two years was awarded to the workman and his associate Ranbir Singh, they raised a dispute before the Conciliation Officer. Since conciliation proceedings failed, appropriate Government referred that dispute for adjudication to this Tribunal with following terms:—

"Whether the action of the management of Syndicate Bank in imposing punishment of reduction in basic pay by two stages in the scale of pay for two years in respect of Shri S.K. Yadav and Ranbir Singh, Clerks is legal and justified? If not to what relief the concerned workmen are entitled to?"

8. It has been presented by the workman as well as by the management that issues relating to the virus of the enquiry and legality and justifiability of punishment awarded to the workman and his associate would be

adjudicated by the Tribunal while answering the above reference. Parties claim that there is no necessity to go into these issues at this juncture, since it would prejudice the questions referred to this Tribunal in the above reference. In view of the submissions made by the parties, it is thought expedient not to answer these issues here in. Consequently the aforesaid issues are left open to be adjudicated while answering the reference made by the appropriate government, in above terms.

#### Issue No. 3

9. Suresh Kumar swears that his basic pay was reduced by two stages in the pay scale for a period of two years, against which action he has raised an industrial dispute. The management erred by not granting two increments, one of Rs.380 in January, 2001 and other of Rs.680 in January 2002, which fell due during the period of punishment. He was also eligible for additional two increments and entitled to basic pay of Rs. 8980, plus Rs. 421 (F.P.A.), Rs. 121 (PQA) besides other allowances. In January, 2003 he became entitled to the pay of Rs.8980/- + Rs. 421 (FPA) and Rs. 242 (PQA). Clause (iv) (C) of VIth Bipartite Settlement dated 14-2-95 does not restrict release of increment for the period of punishment. The management ought to have granted him increments for the period of punishment. In the same way management was nowhere restricted from counting period of suspension and period of operation of punishment as part of his service. Withholding of increments for that period is illegal. He was served with a show cause notice, which was replied by him *vide* letter dated 11-11-01. Copy of the show cause notice as well as his reply are Ex.WW1/1 and Ex.WW1/2 respectively. He wrote letters dated 12-12-2000, 4-9-2002, 6-9-2002, 13-10-2004 and 16-12-2004, which are Ex.WW1/3 to Ex.WW1/8 respectively.

10. Shri T.R. Jain swears that the workman was suspended on 29-7-99 and subsequently charge sheeted on 18-8-99 for gross misconduct of riotous, disorderly and indecent behaviour on the premises of bank, willful damage or attempt to cause damage to the property of the bank and for doing acts prejudicial to the interest of the bank. A report was lodged with the police, besides the matter was referred to the higher authorities. He had proved those documents as Ex.MW 1/1 and 2 respectively. Suspension order has been proved as Ex.M W 1/3, while charge sheet as Ex.M W 1/4. Enquiry was initiated against the workman. In the meantime workman, *vide* his letter dated 24-3-2000, reported that he does not want to go into the merits and demerits in the case. Expressed his regrets and assured of his good behaviour in future. He requested the management to take lenient view by bringing the matter within clause 19.12(e) of the Bipartite Settlement. Copy of letter written by the workman is Ex.M W 1/5. Show cause notice dated 25-7-2000, proposing punishment of reduction of basic pay by two stages for a period of two years for each misconduct was sent, which is Ex.M W 1/15. The

workman expressed his regrets *vide* letter dated 27-7-2000 and requested for personal hearing on proposed punishment. Personal hearing was given to him on 28-3-2000 and thereafter punishment was awarded to the workman, with further stipulation that period of suspension will not be treated as service, except for the purposes of terminal benefits and he will not be eligible for any salary for that period except the subsistence allowance, already paid to him. An appeal was preferred which was dismissed. On imposition of punishment he was reduced to two stages in the pay scale and fitment of his basic pay was communicated to him *vide* letter dated 20-10-2000. The said fixation was subsequently modified *vide* order dated 27-10-2000. Fixation of his basic pay was as per guidelines and service conditions applicable to the workman. On 1-1-99 his basic pay was Rs. 8600, on grant of regular annual increment. On 1-1-2000 no annual increment was released to the workman, since he was under suspension. On 3-8-2000 his basic pay was reduced by two stages, on implementation of the punishment and it was fixed at Rs. 7540. On 3-8-2002 his basic pay was restored to Rs. 8600 on completion of punishment. On 1-1-2003 basic pay of the workman was fixed at Rs. 8980 after grant of regular annual increment. However as a special case management agreed to extend benefits of circular No. 306 dated 16-3-2004 and to re-fix his pay. On 1-1-2001 annual increment was released and basic pay of the workman was fixed at Rs. 7900. On 29-7-2002 basic pay of the workman was restored, on completion of punishment and it was fixed at Rs. 8980. Basic pay of the workman was fixed Rs.8980/- besides FPP of 421 and PQP of Rs. 121 on 29-7-03. On 29-7-04 basic pay of the workman was Rs. 8980 + FPP Rs.421 and PQP of Rs. 242. The workman had not accepted the said pay fixation. Hence he is not entitled for the benefit of circular No. 300 dated 16-3-04 FPP is only permissible after one year of completion of scale. Workman reached maximum of the scale on 20-7-2003. Allowance of PQP is to be released after one year of maximum of the scale. Hence workman is entitled for the same *w.e.f.* 29-7-03. Claim of the workman that he is entitled to those allowances *w.e.f.* 29-7-2002 is incorrect. It has been claimed that he is not entitled for any relief.

11. As testified by the workman and confirmed by T.R. Jain, the workman was reduced by two stages in the pay scale for a period of two years. Period of suspension *w.e.f.* 29-7-99 till 2-8-2000 was treated not spent on duty except for the purpose of terminal benefits. He was not to get any salary for the said period except subsistence allowance already paid to him. On 1st January, 1999 basic pay of the workman was at Rs.8600 after grant of annual increment. No annual increment was granted to him on 1-1-2000 since he was under suspension. On 3-8-2000 basic pay of the workman was reduced by two stages, on implementation of punishment and his pay was fixed at

Rs.7540. On 1-1-2001 he was granted annual increment and his basic pay was fixed at Rs. 7920. On 29-7-2002 basic pay of the workman was restored on completion of punishment and his basic pay was fixed at Rs.8980 and thus he reached maxima of the scale. Therefore, basic pay of the workman was fixed at Rs.8980 besides FPP of Rs.421 and PQP of Rs.121 on 29-7-03. FPP is permissible one year after completion of the scale and since workman completed the scale on 29-7-2002, hence benefit of FPP could be released in his favour w.e.f. 29-7-2003 only. His basic pay was fixed at Rs.8980 besides FPP of Rs. 421 and PQP of Rs.242 on 29-7-04. He was to be granted other increment (annual) on 1-1-2002 and his pay was to be fixed at Rs.8600. On 23-7-2002 his pay was fixed at Rs.8980, on completion of period of punishment. No illegality or unjustifiability in that fixation was has come over the record.

12. Workman claims that Bipartite Settlement now here restricts the management from counting period of suspension as part of service. His contention is uncalled for, since order of punishment announces that period of suspension shall not be treated as part of service nor the workman will be entitled to any wages for that period, except subsistence allowance already paid. Therefore, for that period he cannot claim any increment unless the said period of suspension is held to be spent on duty, while adjudicating the reference, sent by the appropriate Government as referred above. FPP can be released in favour of the workman after one year on reaching the maxima of the scale. As testified by Shri Jain the workman reached the maxima of the scale on 29-7-2002, when his basic pay was restored after completion of the punishment. Consequently FPP was granted to the workman on 29-7-2003. The workman can be granted personal qualification pay on completion of one year after reaching the maxima of the scale, therefore, personal qualification pay increment was granted to him on 29-7-2003 and the other increment was granted to him on 29-7-04. The management was justified in granting FPP and PQP to the workman on the dates as detailed above. No illegality or unjustifiability was found in the action of the management. Issue is, therefore, answered accordingly.

#### Relief.

13. In view of above discussion, the workman is entitled for fixation of his pay at Rs.7900 on 1-1-2001, on release of annual increment. His pay is to be fixed at Rs.8600 on 1-1-2002, on release of annual increment. On 29-7-2002 his pay is to be fixed at Rs.8980, on restoration of his pay on completion of punishment. His basic pay is to be fixed at Rs. 8980, besides F.P.P. of Rs.421 and PQP of Rs.121 on 29-7-03 and it is to be fixed at Rs.8980, besides FPP of Rs.421 and PQP of Rs.242 on 29-7-04. An award is accordingly passed.

Dated 9-9-2009 DR. R. K. YADAV, Presiding Officer

नई दिल्ली, 23 सितम्बर, 2009

का. आ. 2882.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स साऊथ इण्डिया कारपोरेशन (एजेन्सी) लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 2, मुम्बई के पंचाट (संदर्भ संख्या 2/39/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-9-2009 को प्राप्त हुआ था।

[सं. एल-36011/1/2007-आईआर(बी-II)]

राजेन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 23rd September, 2009

S. O. 2882.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.2/39/2007) of the Central Government Industrial Tribunal/Labour Court No.2, Mumbai, now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. South India Corporation (Agency) Ltd. and their workman, which was received by the Central Government on 22-9-2009.

[No. L-36011/1/2007-IR(B-II)]

RAJINDER KUMAR, Desk Officer  
ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 2, MUMBAI.

#### PRESENT

A.A.Lad, Presiding Officer

Reference No. CGIT-2/39 of 2007

Employers in relation to the Management of M/s. South India Corporation (Agency) Ltd.

The Manager  
South India Corporation (Agency) Ltd.  
Joshi Building  
Vasco-de-Gama  
Goa 403 802

AND

Their Workmen

Shri Rymond Fernandes  
House No. 325  
Near El-Monte Theatre  
Vasco-da-Gama  
Goa.

#### APPEARANCE

For the Employer : Mr. Manoj Shetye  
Advocate

For the Workmen : Mr. N.K. Dubey  
Advocate



Mumbai, dated 27th August, 2009

### AWARD

The Government of India, Ministry of Labour by its Order No. L-3601 I/1/2007-IR (B-II) dated 24-8-2007 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2 (A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication :

"Whether the action of the Management of M/s. South India Corporation (Agency) Ltd., Goa in terminating the employment of Shri Rymond Fernandes, Watchman w.e.f. 28-9-2006 is legal and justified? If not, to what relief the workman is entitled for?"

2. Claim Statement was filed by concerned workman at Ex. 6 making out case that, he joined first party as Watchman w.e.f. 29-6-2004. He served with first party till 27-9-2006.

3. On 28-9-2006, he was illegally terminated without following due process of law. No reason was given of termination so he prayed to reinstate with backwages and continuity of service.

4. This is disputed by first party by filing reply Ex. 14 stating that reference is not maintainable. It is stated that, second party was not employed on regular basis. It is stated that he was engaged as casual labour. It is stated that, first party requires casual labourers of various categories and among them category of second party comes. It is stated that, since second party was not regular employee he cannot be reinstated as prayed him. So it is prayed that, reference be rejected.

5. In view of above pleadings, issues were framed at Ex-15 which I answer as follows:

Issues	Findings
(i) Does second party prove his relation with first party as its 'workman'?	Yes
(ii) Does he prove that, action taken by first party is illegal and deserves to quash?	Yes
(iii) Is he entitled for relief sought?	Yes
(iv) What order?	As per order below.

### Reasons

Issue nos. 1 to 3 :—

6. By this dispute, second party challenged the termination dated 28-9-2006 stating that he was illegally terminated. Whereas case of the first party is that he was not regular employee and as such cannot call as workman and cannot claim reinstatement.

7. To prove that second party filed his affidavit at Ex.-18 in lieu of examination-in-chief where he narrate

story of his employment with first party and action taken by it. He also claim reinstatement saying that, he was illegally terminated.

8. Though first party filed written statement at Ex-14 and challenged the status of second party and his prayer of reinstatement, failed to cross examine second party and disprove his case. On the contrary as far as evidence brought on record by the second party of his relation with first party as a workman is concerned, obviously it is not disputed by first party. The stand taken by first party that, second party was casual labour remained unshaken which lead to conclude that, he was engaged by first party and was working with it.

9. working continuously for more then 240 days in each calendar year attract protection to such type of employee as given in Industrial Dispute Act. When second party says that, he was working with first party from 29-6-2004 till 27-9-2006, as far as this period is concerned, it is not disputed by the first party. Besides second party claims that, he worked continuously during that period which is also not disputed by first party. That means second party worked for more than 240 days in each calendar year i. e. from 29-6-2004 till 27-9-2006 with first party.

10. When he worked continuously for such period, definitely he became regular employee. In that scenario he is entitled for protection as given under Section 25 F of Industrial Disputes Act.

11. It is to be noted that, no notice was given nor salary of one month in lieu of notice offered to the second party. Besides it is matter of record that, retrenchment compensation was not offered. Besides no charges are levelled against second party and without any blame second party was terminated in the guise of his casual employment with first party.

12. Though he worked as casual labour, the period as stated above which remained unchallenged permit him to claim permanency as well as permit him to claim protection under which employer is supposed to give notice of termination with retrenchment compensation and notice or salary of one month in lieu of notice. In the instant case nothing happend. Besides evidence brought on record and case made out by second party is not disturbed by the first party by leading any evidence. So I conclude that second party was illegally terminated without following due process of law and as such, order of termination deserve to set aside. Hence, I answer above issues to that effect and passes the following order.

### ORDER

Reference is allowed.

(ii) First party is directed to reinstate second party workman Shri Rymond Fernandes on receipt of this order as a watchman and give backwages as well as continuity of service from the date of termination under challenge.

Date: 27-8-2009

A. A. LAD, Presiding Officer

नई दिल्ली, 24 सितम्बर, 2009

का.आ. 2883.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं न्यवेली लिग्नाइट कॉर्पोरेशन के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चेन्नई के पंचाट (संदर्भ संख्या 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-9-2009 को प्राप्त हुआ था।

[सं. एल-22012/415/2004-आईआर (सी-II),  
एल-22012/416/2004-आईआर (सी-II),  
एल-22012/417/2004-आईआर (सी-II),  
एल-22012/426/2004-आईआर (सी-II),  
एल-22012/427/2004-आईआर (सी-II),  
एल-22012/428/2004-आईआर (सी-II),  
एल-22012/429/2004-आईआर (सी-II),  
एल-22012/430/2004-आईआर (सी-II),  
एल-22012/442/2004-आईआर (सी-II),  
एल-22012/479/2004-आईआर (सी-II),  
एल-22012/480/2004-आईआर (सी-II),  
एल-22012/481/2004-आईआर (सी-II),  
एल-22012/482/2004-आईआर (सी-II),  
एल-22012/483/2004-आईआर (सी-II),  
एल-22012/484/2004-आईआर (सी-II),  
एल-22012/485/2004-आईआर (सी-II),  
एल-22012/486/2004-आईआर (सी-II),  
एल-22012/487/2004-आईआर (सी-II),  
एल-22012/488/2004-आईआर (सी-II).]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 24th September, 2009

S.O. 2883.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. Nos. 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99/2005) of the

Central Government Industrial Tribunal-cum-Labour Court, Chennai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Neyveli Lignite Corporation and their workman, which was received by the Central Government on 24-9-2009.

[No. L-22012/415/2004-IR(C-II),  
L-22012/416/2004-IR(C-II),  
L-22012/417/2004-IR(C-II),  
L-22012/426/2004-IR(C-II),  
L-22012/427/2004-IR(C-II),  
L-22012/428/2004-IR(C-II),  
L-22012/429/2004-IR(C-II),  
L-22012/430/2004-IR(C-II),  
L-22012/442/2004-IR(C-II),  
L-22012/479/2004-IR(C-II),  
L-22012/480/2004-IR(C-II),  
L-22012/481/2004-IR(C-II),  
L-22012/482/2004-IR(C-II),  
L-22012/483/2004-IR(C-II),  
L-22012/484/2004-IR(C-II),  
L-22012/485/2004-IR(C-II),  
L-22012/486/2004-IR(C-II),  
L-22012/487/2004-IR(C-II),  
L-22012/488/2004-IR(C-II)]

AJAY KUMAR GAUR, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Wednesday, the 16th September, 2009

Present : A. N. Janardanan, Presiding Officer.

Industrial Dispute Nos. 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98 and 99 of 2005

(In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of NLC Indco Serve and their Workmen)

S. No.	I.D. No.	Reference No. & Date	Name of the I Party	Name of the II Party	Appearance for Workman	Appearance for Respondent
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	81/2005	L-22012/415/2004-IR(C-II), dated 31-8-2005	The General Secretary, NLC Indco Serve Thozhilar Uzhiyar Sangam Neyveli-607802	1. The Managing Director, NLC Indco Serve Opp. To Thermal Station Neyveli-607807 2. The Chairman Neyveli Lignite Corporation Ltd. Neyveli	M/s. R. Singgaravelan & Co.	M/s. T.S. Gopalan & Co.  Sri N.A.K. Sarma

(1)	(2)	(3)	(4)	(5)	(6)	(7)
2.	82/2005	L-22012/416/ 2004-IR(C-II), dated 31-8-2005	The General Secretary, NLC Indco Serve Thozhilar Uzhiyar Sangam Neyveli-607802	1. The Managing Director, NLC Indco Serve Opp. To Thermal Station Neyveli-607807  2. The Chairman Neyveli Lignite Corporation Ltd. Neyveli	M/s. R. Singgaravelan & Co.	M/s. T.S. Gopalan & Co.  Sri N.A.K. Sarma
3.	83/2005	L-22012/417/ 2004-IR(C-II), dated 31-8-2005	The General Secretary, NLC Indco Serve Thozhilar Uzhiyar Sangam Neyveli-607802	1. The Managing Director, NLC Indco Serve Opp. To Thermal Station Neyveli-607807  2. The Chairman Neyveli Lignite Corporation Ltd. Neyveli	M/s. R. Singgaravelan & Co.	M/s. T.S. Gopalan & Co.  Sri N.A.K. Sarma
4.	84/2005	L-22012/426/ 2004-IR(C-II), dated 31-8-2005	The General Secretary, NLC Indco Serve Thozhilar Uzhiyar Sangam Neyveli-607802	1. The Managing Director, NLC Indco Serve Opp. To Thermal Station Neyveli-607807  2. The Chairman Neyveli Lignite Corporation Ltd. Neyveli	M/s. R. Singgaravelan & Co.	M/s. T.S. Gopalan & Co.  Sri N.A.K. Sarma
5.	85/2005	L-22012/427/ 2004-IR(C-II), dated 31-8-2005	The General Secretary, NLC Indco Serve Thozhilar Uzhiyar Sangam Neyveli-607802	1. The Managing Director, NLC Indco Serve Opp. To Thermal Station Neyveli-607807  2. The Chairman Neyveli Lignite Corporation Ltd. Neyveli	M/s. R. Singgaravelan & Co.	M/s. T.S. Gopalan & Co.  Sri N.A.K. Sarma
6.	86/2005	L-22012/428/ 2004-IR(C-II), dated 31-8-2005	The General Secretary, NLC Indco Serve Thozhilar Uzhiyar Sangam Neyveli-607802	1. The Managing Director, NLC Indco Serve Opp. To Thermal Station Neyveli-607807  2. The Chairman Neyveli Lignite Corporation Ltd. Neyveli	M/s. R. Singgaravelan & Co.	M/s. T.S. Gopalan & Co.  Sri N.A.K. Sarma
7.	87/2005	L-22012/429/ 2004-IR(C-II), dated 31-8-2005	The General Secretary, NLC Indco Serve	1. The Managing Director, NLC Indco Serve	M/s. R. Singgaravelan & Co.	M/s. T.S. Gopalan & Co.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			Thozhilar Uzhiyar Sangam Neyveli-607802	Opp. To Thermal Station Neyveli-607807  2. The Chairman Neyveli Lignite Corporation Ltd. Neyveli		Sri N.A.K. Sarma
8.	88/2005	L-22012/430/ 2004-IR(CM-II), dated 31-8-2005	The General Secretary, NLC Indco Serve Thozhilar Uzhiyar Sangam Neyveli-607802	1. The Managing Director, NLC Indco Serve Opp. To Thermal Station Neyveli-607807  2. The Chairman Neyveli Lignite Corporation Ltd. Neyveli	M/s. R. Singgaravelan & Co.	M/s. T.S. Gopalan & Co.
9.	89/2005	L-22012/442/ 2004-IR(CM-II), dated 31-8-2005	The General Secretary, NLC Indco Serve Thozhilar Uzhiyar Sangam Neyveli-607802	1. The Managing Director, NLC Indco Serve Opp. To Thermal Station Neyveli-607807  2. The Chairman Neyveli Lignite Corporation Ltd. Neyveli	M/s. R. Singgaravelan & Co.	M/s. T.S. Gopalan & Co.
10.	90/2005	L-22012/479/ 2004-IR(CM-II), dated 31-8-2005	The General Secretary, NLC Indco Serve Thozhilar Uzhiyar Sangam Neyveli-607802	1. The Managing Director, NLC Indco Serve Opp. To Thermal Station Neyveli-607807  2. The Chairman Neyveli Lignite Corporation Ltd. Neyveli	M/s. R. Singgaravelan & Co.	M/s. T.S. Gopalan & Co.
11.	91/2005	L-22012/480/ 2004-IR(CM-II), dated 31-8-2005	The General Secretary, NLC Indco Serve Thozhilar Uzhiyar Sangam Neyveli-607802	1. The Managing Director, NLC Indco Serve Opp. To Thermal Station Neyveli-607807  2. The Chairman Neyveli Lignite Corporation Ltd. Neyveli	M/s. R. Singgaravelan & Co.	M/s. T.S. Gopalan & Co.
12.	92/2005	L-22012/481/ 2004-IR(CM-II), dated 31-8-2005	The General Secretary, NLC Indco Serve	1. The Managing Director, NLC Indco Serve	M/s. R. Singgaravelan & Co.	M/s. T.S. Gopalan & Co.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			Thozhilar Uzhiyar Sangam Neyveli-607802	Opp. To Thermal Station Neyveli-607807		
				2. The Chairman Neyveli Lignite Corporation Ltd. Neyveli		Sri N.A.K. Sarma
13.	93/2005	L-22012/482/ 2004-IR(CM-II), dated 31-8-2005	The General Secretary, NLC Indco Serve Thozhilar Uzhiyar Sangam Neyveli-607802	1. The Managing Director, NLC Indco Serve Opp. To Thermal Station Neyveli-607807	M/s. R. Singgaravelan & Co.	M/s. T.S. Gopalan & Co.
				2. The Chairman Neyveli Lignite Corporation Ltd. Neyveli		Sri N.A.K. Sarma
14.	94/2005	L-22012/483/ 2004-IR(CM-II), dated 31-8-2005	The General Secretary, NLC Indco Serve Thozhilar Uzhiyar Sangam Neyveli-607802	1. The Managing Director, NLC Indco Serve Opp. To Thermal Station Neyveli-607807	M/s. R. Singgaravelan & Co.	M/s. T.S. Gopalan & Co.
				2. The Chairman Neyveli Lignite Corporation Ltd. Neyveli		Sri N.A.K. Sarma
15.	95/2005	L-22012/484/ 2004-IR(CM-II), dated 31-8-2005	The General Secretary, NLC Indco Serve Thozhilar Uzhiyar Sangam Neyveli-607802	1. The Managing Director, NLC Indco Serve Opp. To Thermal Station Neyveli-607807	M/s. R. Singgaravelan & Co.	M/s. T.S. Gopalan & Co.
				2. The Chairman Neyveli Lignite Corporation Ltd. Neyveli		Sri N.A.K. Sarma
16.	96/2005	L-22012/485/ 2004-IR(CM-II), dated 31-8-2005	The General Secretary, NLC Indco Serve Thozhilar Uzhiyar Sangam Neyveli-607802	1. The Managing Director, NLC Indco Serve Opp. To Thermal Station Neyveli-607807	M/s. R. Singgaravelan & Co.	M/s. T.S. Gopalan & Co.
				2. The Chairman Neyveli Lignite Corporation Ltd. Neyveli		Sri N.A.K. Sarma
17.	97/2005	L-22012/486/ 2004-IR(CM-II), dated 31-8-2005	The General Secretary, NLC Indco Serve Thozhilar Uzhiyar	1. The Managing Director, NLC Indco Serve Opp. To	M/s. R. Singgaravelan & Co.	M/s. T.S. Gopalan & Co.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			Sangam Neyveli-607802	Thermal Station Neyveli-607807		
				2. The Chairman Neyveli Lignite Corporation Ltd. Neyveli		Sri N.A.K. Sarma
18.	98/2005	L-22012/487/ 2004-IR(CM-II), dated 31-8-2005	The General Secretary, NLC Indco Serve Thozhilar Uzhiyar Sangam Neyveli-607802	1. The Managing Director, NLC Indco Serve Opp. To Thermal Station Neyveli-607807	M/s. R. Singgaravelan & Co.	M/s. T.S. Gopalan & Co.
				2. The Chairman Neyveli Lignite Corporation Ltd. Neyveli		Sri N.A.K. Sarma
19.	99/2005	L-22012/488/ 2004-IR(CM-II), dated 31-8-2005	The General Secretary, NLC Indco Serve Thozhilar Uzhiyar Sangam Neyveli-607802	1. The Managing Director, NLC Indco Serve Opp. To Thermal Station Neyveli-607807	M/s. R. Singgaravelan & Co.	M/s. T.S. Gopalan & Co.
				2. The Chairman Neyveli Lignite Corporation Ltd. Neyveli		Sri N.A.K. Sarma

### COMMON AWARD

The Central Government, Ministry of Labour vide the above order of references referred the IDs mentioned above to this Tribunal for adjudication.

2. The Sechedule mentioned in the orders of reference in the above IDs are as under :

#### ID 81 of 2005

"Whether the action of the management of NLC Indco Serve in not providing employment to Sri N. Ranganathan is legal and justified ? If not, to what relief he is entitled ?"

#### ID 82 of 2005

"Whether the action of the management of NLC Indco Serve in not providing employment to Sri K. Selvakumar is legal and justified ? If not, to what relief he is entitled ?"

#### ID 83 of 2005

"Whether the action of the management of NLC Indco Serve in not providing employment to Sri S. Elangovan is legal and justified ? If not, to what relief he is entitled ?"

#### ID 84 of 2005

"Whether the action of the management of NLC Indco Serve in not providing employment to

Sri M. Chandramurthy is legal and justified ? If not, to what relief he is entitled ?"

#### ID 85 of 2005

"Whether the action of the management of NLC Indco Serve in not providing employment to Sri V. Sundaram is legal and justified ? If not, to what relief he is entitled ?"

#### ID 86 of 2005

"Whether the action of the management of NLC Indco Serve in not providing employment to Sri V. Padmanabhan is legal and justified ? If not, to what relief he is entitled ?"

#### ID 87 of 2005

"Whether the action of the management of NLC Indco Serve in not providing employment to Sri D. Sivan is legal and justified ? If not, to what relief he is entitled ?"

#### ID 88 of 2005

"Whether the action of the management of NLC Indco Serve in not providing employment to Sri G. Palanisamy is legal and justified ? If not, to what relief he is entitled ?"

#### ID 89 of 2005

"Whether the action of the management of NLC Indco Serve in not providing employment to

Sri K. Govindraj is legal and justified ? If not, to what relief he is entitled ?”

**ID 90 of 2005**

“Whether the action of the management of NLC Indco Serve in not providing employment to Sri T. Duraiyarsan is legal and justified ? If not, to what relief he is entitled ?”

**ID 91 of 2005**

“Whether the action of the management of NLC Indco Serve in not providing employment to Sri K. Vedhamani is legal and justified ? If not, to what relief he is entitled ?”

**ID 92 of 2005**

“Whether the action of the management of NLC Indco Serve in not providing employment to Sri R. Devaraj is legal and justified ? If not to what relief he is entitled ?”

**ID 93 of 2005**

“Whether the action of the management of NLC Indco Serve in not providing employment to Sri S. Ramalingam is legal and justified ? If not, to what relief he is entitled ?”

**ID 94 of 2005**

“Whether the action of the management of NLC Indco Serve in not providing employment to Sri R. Kamaraj is legal and justified ? If not, to what relief he is entitled ?”

**ID 95 of 2005**

“Whether the action of the management of NLC Indco Serve in not providing employment to Sri G. Mayakrishnan is legal and justified ? If not, to what relief he is entitled ?”

**ID 96 of 2005**

“Whether the action of the management of NLC Indco Serve in not providing employment to Sri G. Chelladurai is legal and justified ? If not, to what relief he is entitled ?”

**ID 97 of 2005**

“Whether the action of the management of NLC Indco Serve in not providing employment to Sri P. Jayapal is legal and justified ? If not, to what relief he is entitled ?”

**ID 98 of 2005**

“Whether the action of the management of NLC Indco Serve in not providing employment to Sri T. Kaliyaperumal is legal and justified ? If not, to what relief he is entitled ?”

**ID 99 of 2005**

“Whether the action of the management of NLC Indco Serve in not providing employment to

Sri S. Thangamani is legal and justified ? If not, to what relief he is entitled ?”

3. After the receipt of Industrial Disputes, this Tribunal has numbered it as 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98 and 99 of 2005 and issued notices to both sides. Both sides entered appearance through their Advocates and filed their claim statements, subsequently substituted by the amended claim statements consequent upon the impleadment of Second Party/Second Respondent and Counter Statements as the case may be.

4. The First Party filed a memo for joint trial of all the above IDs stating that the parties in all the IDs are same and the reliefs involved in all the above IDs are common which was at the inception objected to by the 2nd Respondent in the memo of objection alleging that 1st Party Union has no locus-standi to raise the dispute which is in respect of the reference of each individual separately who alone has an accrued right to do so. Each case stands on its own footing, Each case is characterized by its distinctiveness and the same cannot be jointly tried. However, Respondent has had no objection for taking all the disputes together. Pending consideration of the prayer for joint trial, the IDs went up for trial and evidence was commenced to be recorded in all the IDs recorded separately examining WWI and marking Ex. P1 to Ex. P7 (Ex. W1 to Ex. W7). While so, giving a go by to the objection for joint trial, the Respondent expressed its preparedness to have joint trial of all the IDs and the further enquiry was continued recording the defence evidence in ID 81/2005 in common for all the IDs treating the same as the leading case and Ex. W8 to Ex. W11 were marked over and above the examination of WWI and marking of Ex. W1 to Ex. W7 separately in each ID which have been treated as common evidence as recorded in ID 81/2005 for all the IDs. On the side of the Respondents, MW1 and MW2 were examined and Ex. M1 to Ex. M11 were marked exactly on the same pattern. The award, herein, accordingly is passed as common award for all the IDs and a copy of the same containing the original signature of the Presiding Officer will be kept in each of the separate ID file.

5. The averments in the amended Claim Statements common to all IDs briefly read as follows:

The First Party is a registered Sangam represented by General Secretary competent to file the Claim Petition on behalf of all the individual petitioners. The members of the First Party were appointed as Casual Labourers in the Neyveli Lignite Corporation (NLC) through Private Contractors and they have put in more than 10 years of service. The object of First Respondent NLC Co-operative Society is to take and execute various items of work entrusted by NLC and to provide employment to its members/workers, rendering equal treatment to all of them for regular appointment on seniority basis in NLC. The Society is expected to register the employees engaged through Private Contractors as members on the basis of seniority with reference to their date of entry through

Private Contractors in NLC. The First Party has recommended them for absorption under NLC on the basis of seniority. The First Respondent has not provided employment to them while in the year 1990 NLC was taking members of Society as regular employees. They enrolled employees serving in NLC as members without following seniority according to their whims and fancy. It refused enrolment to most of the senior most employees in an arbitrary manner. NLC was to regularize the employees sponsored by the Society without verifying whether the Society has enrolled them on a seniority basis. In a list so given, none of the members is included on the top but included juniormost candidates on the top. In the place of a person, now no more, another person is included with the same father's name mischievously. Land Displaced Persons having preferential treatment have also not been given proper places in the list. Lot of irregularities and illegalities have been committed in the recruitment and therefore the same is liable to be declared ultra vires the Constitution. Persons whose father was in service were given appointment but were sent out of employment for no reason and they are not considered for regular appointment whereas persons whose father has put in lesser number of service are included in the list. Under the Contract Labour, (Regulation and Abolition) Act, 1970, NLC has to provide employment to the contract labour. All the contract labour has to be absorbed in NLC irrespective of their status. It is not for the NLC Ltd. to contend that in view of the formation of the Society, its members alone can be absorbed. In that case the NLC has had to direct the Society to enroll its members on the basis of the date of first engagement in the Corporation. The Society cannot enroll the members at its whims and fancies in disregard of seniority. It is prayed that the Society may be directed to recommend the names of the petitioners for regular employment in NLC on seniority basis.

6. In the Counter Statement filed by First Respondent the raised contentions briefly read as follows:

NLC used to give jobs to Contractors who bring their own men, carryout the work and they are paid charges. In November, 1990 at the intervention of Government of Tamil Nadu through its Department of Industries and Commerce and the NLC an Industrial Cooperative Society in Neyveli by absorbing the workmen employed by various Contractors and entrusting jobs with minimum wages to the displaced persons was formed. As per its Byelaw-6, any individual above 18 years was entitled to be a member and preference was given to dependent/wards of serving employees of NLC, (ii) dependent/wards of deceased employees or retired employees of NLC (iii) displaced persons consequent upon acquisition of land and (iv) persons already working under the Contractors whose work is executed by the Society. As per policy of the Society when the work performed by any Private Contractors is awarded to the Society, then the workmen

of the said Contractor are engaged to carryout that work. It is on that basis the job opportunities are made available. The petitioners are not entitled to be engaged in view of the above principle. The names of its members were sponsored to NLC for regularization. Membership in Society is not the sole criterion for the regularization. There was no employment of the concerned persons under the Society. Therefore, there is no termination of them. It is for the NLC to consider absorption of the persons in its service. By reason of membership in the Society alone, they are not entitled to any right or right for employment in NLC. Mere being members of the Society does not mean that they are enrolled by the Society. The persons were not engaged by the Society and therefore they cannot be sponsored for regularization. The claim of the petitioners may be dismissed.

7. The 2nd Respondent in its Counter Statement raised contentions which briefly read as follows:

The reference in respect of individuals separately is not to be espoused by the Union and the same are liable to be dismissed. NLC was not a party in the reference. In the Claim Statements, the First Party attempted to enlarge the scope of the reference asking to the First Respondent to recommend the persons for regular employment in NLC which is not sustainable. Nobody can traverse materially beyond the terms of reference. The initial dispute of the persons was with respect to not providing employment by the NLC Indco-Serve Society. The Second Respondent is not liable to grant any relief. The dispute referred is only between the individual workers and the Society. The Petitioner Sangam is not a party to the dispute. Regular employment under NLC is by appropriate rules and orders. NLC is not a necessary party. The Petitioner Sangam as a wrong claimant placed claims totally different from the dispute referred. The employment to an individual is a personal dispute. If Petitioner Sangam was a disputant there was no need for filing 19 IDs. Impleading NLC was not necessary or justified. The impleadment is erroneous and is contrary to law and facts. The relief sought under the reference is only against the First Respondent. It is denied that in 1999, the Second Respondent was taking the members of the Society as regular employees. It is trite that even in the case of abolition of contract labour under Section-10 of the Contract Labour (Regulation and Abolition) Act, 1970, a contract worker is not vested with right for regularization at any cost. Names of the concerned persons have not been recommended by the First Respondent. The claim may be dismissed.

8. Though the enquiry proceeded separately in each 10 initially in spite of a request laid by the petitioner by a written memo for joint trial but was opposed by the Respondents and the same was for that reason at the interregnum the Respondents themselves by their conduct of adducing common defence evidence in ID 81/2005 for and on behalf of all the other IDs and thus giving a go by



to their stand against the joint trial eventually adduced evidence recorded in common in I. D. 81/2005 and hence an award is passed in common for all the 19 IDs.

9. Common evidence in all the IDs as recorded in ID 81/2005 consists of the testimony of WW1 and Ex. W1 to Ex. W11 on the side of the petitioners and the oral evidence of MW1 and MW2 and Ex. M1 to Ex. M11 on the side of the Respondents.

10. The points for consideration are :

- (i) Whether the non-providing of employment to the workmen/members by the Management of NLC Indco-Serve is legal and justified?
- (ii) To what relief the workmen are entitled?

11. The verbatim reference of the Ministry as already mentioned is as to non-providing of employment of the workmen is legal and justified? But Petitioner Sangam by taking to itself the espousing of the cause of the workman as its members by the Claim Statement seeks to recommend their names by the Indco-Serve for regular employment in NLC on seniority basis. This is assailed by the Second Respondent as not sustainable since by this according to them the scope of the reference is attempted to be enlarged. According to the Respondents, the claim by the Petitioner Sangam is not maintainable because reference is in the name of individuals and on that ground alone the same is liable to be dismissed. According to the Second Respondent the NLC was not a party in the reference and therefore it is not a necessary party and is not liable to grant any relief. It is also contended by the Respondent that the Petitioner Sangam is also not a party to the dispute and the same figures as a wrong claimant. If the petitioner were to espouse the cause of the workmen there was no need for filing 19 IDs. According to the First Respondent membership in the Indco-Serve Society is open to any individual above 18 years. Preference was given to the four categories of persons as mentioned in the Counter Statement. But the concerned workmen do not come under any of the said categories. They have never worked under the First Respondent. Mere being member does not confer entitlement to them to be enrolled and engaged as workers under it. On a policy matter when the work of Private Contractors is entrusted to the Society, the workers of that Contractor are engaged to carry out that work. It is accordingly that the job opportunities are made available to the members. The petitioners have not had any occasion to work under it though they were members. Therefore they do not answer the eligibility criteria for being engaged under it and for being sponsored for regularization. Membership does not mean that they are enrolled by the Society. The case of concerned persons is admittedly that they have not worked under the Society. That shows evidently that they are not entitled to be sponsored by the Society for regularization in NLC. Further according to the Second Respondent. The regular employment under NLC is by means of specific recruitment rules and procedural formalities to be observed. There was no instance of the

Second Respondent taking members of the Society as regular employees in 1999. Further according to it even in the case of abolition of contract labour a contract workers is not vested with right for regularization invariably. In relation to NLC there has not been any Government notification prohibiting contract labour employment. No names of the concerned persons have been recommended by the First Respondent for regularization.

12. As against the above, the case of the First Party is asserting its competency to represent. Their case is that the Society has to register the employees engaged through Private Contractors as its members and recommend them for regularization in NLC on the basis of seniority that it has departed from that and opted to enroll employees without following seniority and according to their whims and fancies. They have cited some instances, the veracity of which is not brought home. Even on the showing of their case as averred in the Claim Statement, they are not already enrolled in the Society. Hence it insists on the Society to enroll as its members and recommend them for regularization under NLC. To put in a nutshell, the claim of the concerned persons espoused through the Petitioner Sangam is to provide them employment under the Society in relation to which as made clear by the Second Respondent Corporation is not at all a necessary party.

13. The short question is whether the First Respondent NLC Indco-Serve is bound to provide employment to the concerned persons numbering to 19. When the criteria is indisputably enrolment and engagement as workers under the Society and that qualification is not answered by the concerned persons in their favour, the answer to the question whether the workmen are to be recommended for regularization has to be emphatically in the negative. The historic background of the formation of the NLC Indco-Serve is traceable to the convening of a meeting of the Government of Tamil Nadu through the Deptt. of Industries and Commerce and the NLC Administration in which it was decided to absorb the workmen employed by various Contractors and entrust jobs with minimum wages to the displaced persons. The fact that the contract workers were being exploited by the different Contractors was also a weighing consideration for the formation of the Society. The said Society was to provide employment preferentially to the four categories of workers made mention of. According to the First Respondent, these persons are not enrolled members for engagement under it. It is the common case that these persons have not worked under the Society. That is to say it is admitted by the said persons that they have not worked under the NLC Indco-Serve Society. The same fact that they did not work under the Indco-Serve as enrolled contract labour seems to be the reason that they are not provided employment by the Society. The Society does not have a case that the concerned persons are not its members. They only say that they have not worked under it. In this context, it is pertinent to consider why in spite of these persons having become members under it they are

not engaged for work in connection with the various activities of NLC. The First Respondent has not pointed out any difficulty or disadvantageous situation in which it is placed, not to provide work to them also under the NLC taking to itself the role of sponsoring them as contract labour to carry out the various activities under NLC. The case of the First Respondent that the four categories of persons mentioned are to be preferred in the matter of engagement of work and that as a policy matter when the work of a Private Contractor is entrusted to it the contract workers under such Private Contractors are engaged to do the said work. The First Respondent discernibly speaks for a policy and only for a preferential treatment as the mode of selecting the contract labour to be engaged in an item of work under NLC. It seems that this stand of the Society is not just and fair. It is relevant to consider why in spite of the concerned persons having been members under it they are not provided any work under the Society in connection with the activities of NLC as a major Public Sector Undertaking under the Government of India. The case of the concerned persons that they had been contract workers under various Private Contractors and it was thereafter that they became members of the Society is a matter not denied by the First Respondent. The said persons, from the very nature of their claim and allegations understandably clamour for some employment through the Society under the NLC. It is alien to comprehension why they are still hesitated to be employed under the Society to form a set of contract labour to work for the NLC. The unchallenged fact that they have been working for more than 10 years in different wings under NLC through various Private Contractors until they became members of the Society furnishes sufficient testimony for the fact that they cannot be relegated to be persons short of experience in any of the working fields under the NLC. Why not the policy consideration and the preferential treatment given to the above enumerated 4 categories of persons be changed so as to accommodate the claimants workmen herein too as a 5th category? This question assumes significance especially for the reason that it is not shown on what established sound principles or considerations the said four categories of persons are engaged by the Society to the exclusion of another category as the claimants herein. It is in terms of the equitable consideration consistent with justice, fairness and good conscience and on the larger interest of social justice vis-a-vis natural justice that I am compelled to direct my thoughts on these lines as an Industrial Adjudicator which has power to mould relief in order to meet the ends of justice. In the circumstances, I am of the considered view that the non-providing of employment to the concerned persons by the First Respondent NLC Indco-Serve is not legal and justified. So found.

#### Point No. 2

To what relief the workmen are entitled?

14 In the light of above findings, I hold that the non-providing of employment to the concerned workmen by NLC Indco-Serve is not legal and justified and I direct

the First Respondent to provide employment to them also taking itself as their sponsoring authority of contract labour for Neyveli Lignite Corporation Ltd. by suitably changing the policy and enlisting them also as a 5th category of eligible persons for engagement under the Society.

15. The point is answered accordingly.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 16th September, 2009)

A. N. JANARDANAN, Presiding Officer

#### Witnesses Examined :

For the I Party/Petitioner : WW1, Sri N. Swamynathan

For the II Party/ Management : MW1, Sri L. Santhanakrishnan  
MW2, Sri N. Muthu

#### Documents Marked :

##### On the petitioner's side

Ex No.	Date	Description
Ex. W1(Series)		Attendance shows that petitioner is employed in the 2nd Respondent through various contractors before formation of Society
Ex. W2(Series)		Bunch of Cash receipt paid for the membership of the 1st Party
Ex. W3		The list of members Indco-Serve
Ex. W4		Rules and regulations of the 1st Respondent
Ex. W5	2-5-2000	Legal notice
Ex. W6	26-6-2000	Counter Affidavit of 1st Respondent
Ex. W7	14-10-2003	Order in WP No. 20690/99
Ex. W8	27-6-1994	Registration Certificate
Ex. W9	-	Members List
Ex. W10	28-12-2003	Copy of the resolution passed in General Body Meeting authorizing General Secretary
Ex. W11	30-12-2003	Copy of the letters sub <sup>n</sup> of the Union on beha <sup>l</sup> workers to the Conc Officer

##### On the Management's side

Ex. No.	Date	Description
Ex. M1	21-11-1998	Minutes of the meeting between NLC and Deputy Director of Industries and Commerce (Industrial Cooperative) Govt. of Tamil Nadu
Ex. M2		Bye-Laws of the 1st Respondent Society

Ex. M3	9-5-2000	License granted to NLC Indco-Serve (R1) till May 2007.
Ex. M4	—	List of members who have not been given work at any time.
Ex. M5	25-6-1998	Last Membership Receipt No. 5499 of P. Jayakumar.
Ex. M6	—	Blank (unfilled) Membership Receipt bearing No. 5500.
Ex. M7	16-11-2007	Statement of details—Extract from—Form-VI. Return submitted to Regional PF Commissioner—Trichy—Mentioning yearwise Member—Workmen (given work) from 1995 to 2006-07.
Ex. M8	24-11-2004	Conciliation Failure Report issued by Asstt. Labour Commissioner (Central-I).
Ex. M9	21-11-1998	Minutes of the meeting between NLC and Deputy Director of Industries (Industrial Cooperatives) Government of Tamil Nadu.
Ex. M10	18-5-1995	Memorandum of Settlement under Section 12(3) on absorption of Indco-Serve Member-Workmen.
Ex. M11	19-4-2003	Agreement signed between NLC Ltd. and NLC Indco-Serve.

नई दिल्ली, 24 सितम्बर, 2009

का.आ. 2884.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं डब्ल्यू. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 94/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-9-2009 को प्राप्त हुआ था।

[सं. एल-22012/58/2005-आईआर (सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 24th September, 2009

S.O. 2884.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 94/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the

Industrial Dispute between the management of Kanhan Area of WCL and their workmen, received by the Central Government on 24-9-2009:

[No. L-22012/58/2005-IR(CM-II)]  
AJAY KUMAR GAUR, Desk Officer

# ANNEXURE

BEFORE SHRI A. N. YADAV, PRESIDING  
OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/94/05

Date : 11-9-2009

Petitioner/  
Party No. 1 : Shri Nanhu S/o Jhanak,  
Through : The Joint General  
Secretary, Bhartiya Koyala  
Khadan Mazdoor Sangh (BMS),  
Post-Parasia, Dist. Chhindwara,  
Chhindwara

Versus

Respondent/  
Party No. 2 : The General Manager,  
Kanhan Area of Western Coalfield  
Limited, Dist. Chhindwara,  
Chhindwara

# AWARD

(Dated : 11th September, 2009)

1. The Central Government after satisfying the existence of dispute between Shri Nanhu S/o Jhanak, through : The Joint General Secretary, Bhartiya Koyala Khadan Mazdoor Sangh Chhindwara (Party No. 1) and the General Manager, Kanhan Area of Western Coalfield Limited, Chhindwara (Party No. 2) referred the same for adjudication to this Tribunal vide its letter No. L-22012/58/2005-IR(CM-II) dated 5-12-2005 under clause (d) of sub-section (1) and sub-section (2A) of section 10 of Industrial Dispute Act, 1947 (14 of 1947) with the following schedule :

2. "Whether the action of the Kanhan Area of WCL, Distt. Chhindwara in dismissing Shri Nannu S/o Shri Jhanak, Tub Loader, Token No. 1391, Nandan No. 2 Mine from service w.e.f. 26-9-1995 is legal and justified? If not, to what relief is the workman entitled?"

3. The reference came up for hearing on 28-8-2009 on which the Petitioner and his Counsel were absent. The counsel for Respondent was present. The Petitioner is not attending the case since 7-12-2006 i.e. from filing of the case. He has also not even filed a statement of claim. I do not think it proper to continue it on the same stage years together. It seems that the Petitioner is not interested in prosecuting the case. In the circumstances, no purpose will be served in continuing the case, hence it dismissed for the default of the Petitioner and pass the negative award that he is not entitled for any relief.

Date 11-9-2009

A. N. YADAV, Presiding Officer

नई दिल्ली, 24 सितम्बर, 2009

का. आ. 2885.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं भारतीय खाद्य निगम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 1, धनबाद के पंचाट (संदर्भ संख्या 29/1992) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-9-2009 को प्राप्त हुआ था।

[सं. एल-22012/419/एफ/1991-आईआर(सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 24th September, 2009

S. O. 2885.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 29/1992) of the Central Government Industrial Tribunal, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Food Corporation of India and their workman, which was received by the Central Government on 24-9-2009.

[No. L-22012/419/F/1991-IR(C-II)]

AJAY KUMAR GAUR, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No.1, AT DHANBAD

Present- H. M. Singh, Presiding Officer

In the matter of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 29 of 1992

#### Parties :

Employers in relation to the Management of Food Corporation of India and their workman.

#### APPEARANCES

For the Employer : Shri A. Thakur, Authorised Representative

For the Workmen : Shri V. Kumar, State Joint Secretary

State : Bihar Industry : Food

Dated, the 11th September, 2009

#### AWARD

By Order No. L-22012/419/F/91-IR (C-II) dated 24-3-92 the Central Government in the Ministry of Labour, has in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes

Act, 1947 referred the following dispute for adjudication to this Tribunal :—

“Whether the action of the Management of Food Corporation of India, in terminating four casual workmen, viz., S/Sri Ram Kripal Singh. Saryug Choudhary, Satish Kumar and Anil Kumar without complying the provisions of Section 25-F of I.D. Act., 1947 and denying to take them back in employment from the date of their retrenchment with full back wages and regularisation in the time scale of Food Corporation of India was right and justified? If not, to what relief the said workmen are entitled to?”

2. The concerned workmen through the sponsoring union have appeared and filed written statement stating therein that they have worked for more than 240 days in 12 calendar months as per Section 25-B of the I.D. Act, 1947 and they were already paid their wages but they were stopped from work from the dates given below without any reason or notice given thereunder and their retrenchment as below was void as such :

- |                         |             |
|-------------------------|-------------|
| 1. Sri Ram Kripal Singh | 31-8-1987.  |
| 2. Sri Saryug Choudhary | 31-8-1987.  |
| 3. Sri Satish Kumar     | 31-10-1982. |
| 4. Sri Anil Kumar       | 31-10-1982. |

3. In view of circular dated 6-5-87 of the F.C.I. Headquarters all casual workmen having completed 90 days of service on or before 2-5-86 were to be regularised against entry level of class III and IV post as per their qualification and the concerned workmen had qualification for appointment against Class IV and their service ought to have been regularised. It is further said as many as 75 workmen were regularised as Watchmen but the concerned workmen were not considered by the management inspite of regular request.

4. It is therefore submitted that the concerned workmen having completed more than 240 days in 12 calendar months they were entitled for their regularisation and their retrenchment was in contravention of provisions under Sec. 25-F of the I.D. Act., 1947 and they were also entitled for their regularisation as per office circular dated 6-5-87. It is finally said that the award be passed in favour of the workmen accordingly.

5. I further find that the management of F.C.I. has appeared and filed written statement stating, inter alia that the reference was not maintainable and the claim made by the workmen was at very belated stage and the sponsoring union could not sponsor the case of the workmen and they had not completed 240 days of continuous service. It is further said that the concerned workmen were working at Masauri depot of the management which was in hired building from February, 1978 till February, 1984 and they

were engaged as and when required on the basis of daily wage and the principle of 'no work no pay'. It is said that they did not complete 240 days of continuous service so as to attract provision under Section 25-F of the I.D. Act and there was no violation at all. There was also labour problem in the depot and it was closed from February, 1984 and was finally dehiere on 31-8-87, so the concerned workmen were not working at all.

6. It is further said that a dispute was raised in the year 1985 by the FCI Workers' Union and on agreement was reached between the management and the workers' Union and services of 56 labourers were regularised by the management and these workmen had not come forward to state their demand and now they are raising dispute after seven years which is not be granted to them. It is finally said that they did not complete 240 days of regular continuous service and as such they are not entitled for their regularisation as claimed and award be passed accordingly.

7. I further find a rejoinder to the written Statement of the workmen has also been filed by the management denying specifically and parawise the contentions of the concerned workmen and it is said to be incorrect or not correct fully and the same has been specifically denied.

8. I further find that a rejoinder has also been filed by the workmen denying the contentions of the management in its written statement and the rejoinder filed by the management and the same is said to be incorrect and the misleading and the same being wrong in the face of facts and circumstances of the case.

9. On the basis of pleadings of the parties as taken in their respective written statement and rejoinder the point to be considered in this reference is :—

- (a) As to whether or not the concerned workmen are entitled of the provision under Sec. 25-F of the I.D. Act. 1947;
- (b) As to whether or not the concerned workmen are entitled for regularisation of their service as per circular of the Headquarters of the management dated 6-5-87; and
- (c) To what relief or reliefs are the workmen entitled?

10. All the above noted three points are interlinked and as such are taken together for their consideration.

11. I further find that two witnesses have been examined on behalf of the management being MW-1 Naurangi Lal who is Asstt. Grade-I in FCI Dopot at Baxur and MW-2 is Binod Kumar who was earlier posted at FCI, Masaurhi as Asstt. Grade-II since 1983 and he was Incharge of the depot since 1985 there. They have tried to support the case of the management and have also proved Ext.

M-1 and as per evidence of MW-1 about 25 employees were posted as Class IV employees in the depot and he did not engage the concerned workmen as casual workers in the depot. MW-1 has further stated that attendance-cum-payment is under his signature marked as Ext. M-2 which includes name of workmen Ram Kripal Singh and Satish Kumar and from exhibit it was clear that the engagement of these two workmen were approved by the District Manager. However, he could not say that his successor retained these casual workmen in service or not. MW-2 who was Incharge of Godown from 1986 onwards has stated that during his time godown was closed and no casual worker was engaged. He knew the workmen, Ram Kripal Singh and Sarju Choudhary but he did not know any workmen, Anil Kumar and Satish Kumar and above noted two workmen were engaged by the office when required for working as watchmen or other works on daily wage basis. He has further proved Ext. W-2/1 and certificate granted by him Exts. W-1, W-1/1 and W-1/2. He admitted that Ram Kripal Singh and Sarju Choudhary had worked occasionally on daily wage basis after his joining there till 1987. But he denied that Satish Kumar and Anil Kumar were there during his tenure. He has further admitted that two workmen were paid full day wages for the days they worked and full day work was taken from them when they were so employed. He has also admitted that the workmen were put to work for six days in a week with one day break, but he could not say that those two workmen completed 240 days work in a year or not.

12. Two witnesses have been examined on behalf of the workmen, namely, WW-1 Bhagirath Prasad Singh and WW-2 Lal Babu Singh. WW-1 is posted as Asstt. Grade-II at Patna FCI for last 18 years and WW-2 is posted at Fulbari Sarif Food Storage Depot as Asstt. Grade. III and from 1978 to December, 1983 was posted as Watchman at Masaurhi Depot. He knew the concerned workmen and during the aforesaid period of posting they were working as casual workers and besides these four workmen 40 to 50 more casual workmen were working there and services of latter workmen have been regularised but these concerned workmen were left for regularisation and they working for 18 to 22 days in a month and have completed more than 240 days attendance in a year. The concerned workmen were engaged as casual workers and carrying letters etc. and for putting spilled grains in the bags. No regular messenger or sweeper was posted at the godown at that time. He has also proved the circulars marked Ext. W-1 to W-1/5. He has denied that the work at Masaurhi godown was stopped from 1981 to 1987 and during his tenure six Assistants in Grade-I to Grade-III were working at the depot. He has seen the workmen working in the depot during day time he was on leave as his quarter was nearby godown.

13. Evidence of WW-1 is on similar line. He has further proved letter marked as Ext. W-2/1 which is in the

writing of B. N. Prasad, the then AG-I, (D) who was Depot Incharge at Massaurhi and has also proved another letter Ext. W-3 and photo copy of chart under signature of S.K. Bhaumik, then District Manager, marked Ext. W-4 and staff position statement in three pages under the signature of S.S. Rai marked Ext. W-5. He has further stated that Massaurhi Godown was running in a rented building and from February, 1984 onwards there was labour problem. He has clearly stated that the present dispute was raised by the sponsoring union in the year 1991 and after regularisation of 56 workmen in the year 1988-89 the sponsoring union waited till 1991 on the verbal assurance given by the management regarding regularisation of service of the concerned four workmen and relying their assurance the sponsoring union waited for three more years and thereafter they raised dispute. There is no other witness in the case.

14. Some documents have been filed on behalf of the parties. Ext. M-1 is photo copy of lease agreement of the Godown at Massaurhi which was taken from Baijnath Prasad and Ext. M-2 is photo copy of attendance-cum-payment sheets which includes the name of the two concerned workmen, namely, Ram Kripal Singh and Satish Kumar. Exts. M-3 to M-8 are letters of different dates about shifting of godown and dehiring at Massaurhi and it appears that finally in May, 1987 the Godown was dehiired vide Ext. M-8. Ext. M-9 is settlement document by which 56 casual workers were regularised and transferred to other depot and Ext. M-9 is letter of the Headquarters of the FCI dated 6-5-87 and as per clause 4 all the casual workers who completed more than 90 days work on or before 2-5-86 were to be regularised. This Ext. M-9 has been explained by the workmen to place their position that in view of this circular 56 workers were regularised in service which is clear from Exts. M-7 and M-8 where these concerned four workmen were left and discriminated for the reason best known to the management.

15. Similarly some documents have also been filed on behalf of the workmen which is Ext. W-1 series certificates granted in the name of the workmen to show that they have worked for a considerable period at Massaurhi Godown of FCI from 1979 to 1982 or upto 1987. Ext. W-2 goes to show that certificate issued by Depot Incharge to show Ram Kripal Singh completed more than 240 days continuous service in the depot as per official record. Similarly Ext. W-2/1 a letter written by the Depot Incharge to the District Manager, Patna about regularisation of services of the concerned workmen, Sarjug Chaudhary and Ram Kripal Singh who were Class-VII pass and worked at Massaurhi depot since 1979 till 1987. Ext. W-4 is chart showing that the concerned workmen have worked in between 202 to 211 days from April, 1979 to May, 1980 and in the year April, 1975 to March, 1980 this period was in between 202 to 211 days plus 52 Sundays in a year which is weekly paid holidays and adding to that it becomes more

than 240 days. Ext. W-5 is statement of staff position as on 31-8-90 signed by Asstt. Manager (P) F.C.I. showing the vacancy position in Class-III and Class-IV posts.

16. On the basis of the above documents filed on behalf of the workmen it is submitted that from Ext. W-4 and also Ext. M-2 filed by the management it is clear that the concerned workmen have completed more than 240 days of continuous work in a year in 12 calendar months when added to 52 Sundays which is paid holiday and other paid holidays being the part. It is also submitted that in view of the circular Ext. M-9 their services ought to have been regularised as they have completed many more than 90 days as stipulated in column 4 of the said circular and in the light of the said circular 56 casual workers belonging to other union were regularised by the management in the year 1987-88 and were transferred to other depot and when these workmen approached to the management verbal assurance was given to them about considering their case favourably and for that they waited till 1991 when this dispute was raised. In this view of the matter it is submitted that the plea taken by the management that this dispute has been raised by the concerned workmen at a belated stage and due to such delay the parties defeated and they are not entitled for the relief as claimed. However, it is submitted that in view of the circular of the management Ext. M-9 it was incumbent upon the management to regularise the services of the concerned workmen as they have completed more than 90 days on 2-5-86 and the management's witnesses have also admitted that they were working till 1987 for different works and it is also admitted case that no notice or retrenchment compensation was given to the concerned workmen as per provision of under Sec. 25-F of the I.D. Act, 1947 and their stoppage from work or retrenchment becomes void ab initio. It is further submitted that in view of the vacancy existing with the management at different godowns and closure of dehiring of Massaurhi godown can't be said to be closure of the company or establishment rather Massaurhi depot is simply one unit of the FCI management which has more than 100 depots and Regional and Divisional offices of Bihar. It is further pointed out that vide Exts. M-7 and M-8 other 56 workmen whose services were regularised as per settlement with the management and who were working at Massaurhi depot and after regularisation of service in the year 1987-88 they were transferred to other depot of the management and no question of closure of Massaurhi depot raised in their case so this plea of closure of Massaurhi depot as envisaged under Sec. 25-FFF can't be taken by the management in the case of the present concerned workmen also. I find much force in the contention of the sponsoring union and I am agreeable with their contention that in view of Ext. M-2 and Ext. W-4 and also Ext. M-9 it is clear that the concerned workmen had completed more than 240 days attendance in 12 calendar months in a year and had completed many more 90 days so as to cover under the

circular dated 6-5-87 (Ext. M-9) and it was for the management to regularise their services as they had minimum educational qualification for being absorbed under Class IV in Watchman post. MWs and WWs examined on behalf of the parties have admitted that payment for full days work was made to the workmen when they were engaged and worked for whole day was taken from them on the working days and they had worked throughout during the year 1987. Delay has also been explained that relying on the verbal assurance of the management they waited that their case also would be considered by the management about their regularisation but when it did not materialise the dispute was raised by the sponsoring union in the year 1991.

13. On the other hand, the plea has been taken on behalf of the management that there was abnormal delay on the part of the workmen or the union to raise the dispute and it goes against the workmen as per principles of law that delay defeated purpose and the case both and they are not entitled relief and that they have not completed 240 days regular service in 12 calendar month in a year and the workmen are not entitled for any notice or compensation under Sec. 25-F of the Industrial Disputes Act., 1947 nor they were covered under Circular Ext. M-9 for completing 90 days against regular job and they are not entitled for regularisation. But in view of the discussion made above I do not find any merit in the plea taken by the management and it is absurd to any that if 56 co-workers of the same depot placed similarly like the present concerned workmen would be regularised vide Exts. M-8 and M-9 then there was no vacancy for these four concerned workmen because of the fact that they belonged to some other union and now the plea was taken that delay was made by them in not agitating the matter in time. However, there was no any such column in the Circular Ext. M-9 that the workmen has to agitate for his absorption in view of this circular after completing 90 days continuous service on or before 2-5-86 rather it was the incumbent upon the management to consider the case of the workmen individually and to regularise, finding the workman fit and qualified for the post in Grade-III or Grade-IV as the case may be. It is also clear that the concerned workmen were qualified and fit for being absorbed under class-IV post similar to other 56 co-workers who were regularised and shifted to other depot by the management and as such the action of the management in not regularising the services of the concerned workmen was not justified. I also find that these 56 workers were regularised from June, 1987 as per agreement reached between the management and the sponsoring union and accordingly the present concerned workmen are entitled for their regularisation from the same date i.e. June, 1987, if not from any earlier date, with full back wages in Class IV post.

14. Accordingly all the points were decided in favour of the workmen and following Award was passed by my predecessor-in-office on 9th October, 1996 :—

15. In the result, my award is that the action of the management of Food Corporation of India in terminating four casual workmen, vis. S/Sri Ram Kripal Singh, Saryug Choudhary, Satish Kumar and Anil Kumar, without complying the provisions of Sec. 25-F of the I.D. Act, 1947 and denying to take them back in employment from the date of their retrenchment is not justified. The management is directed to re-instate the concerned workmen with effect from June, 1987 with full back wages and to regularise their service in Class-IV post.

However, there will be no order so as to cost.

TARKESHWAR PRASAD, Presiding Officer

16. Against the above Award of this Tribunal a petition has been moved by the management of FCI before the Hon'ble Patna High Court vide C.W.J.C. No. 3094 of 1997 and an order has been passed by the Hon'ble Court on 17-11-08 quashing the Award. Thereafter a L.P.A. has been filed by the Food Corporation of India, Executive Staff Union, Firdaus Building, Exhibition Road, Patna through Vijandra Kumar, the State Joint Secretary vide L.P.A. No. 40 of 2009 and the Hon'ble Patna High Court has passed order on 1-7-2009 regarding the Award and directed that the file be remitted back to Tribunal for re-examination of the facts already available on record for giving proper finding before coming to a decision whether provision of Section 25 (F) of the Industrial Disputes Act are available for the help of the workmen or not.

17. On this point argument of both sides has been heard on 14-8-2009.

18. The representative of the workman argued that as per Ext. W-4 Shri Satish Kumar has done work total 211 days from April, 1979 to March, 80, Shri Anil Kumar has done work total 202 days from April, 1979 to March, 1980, Shri Sarjug Choudhary has done work total 204 days from April, 1979 to March, 1980 and Shri Ram Kripal Singh has done work from April, 1979 to March, 1980 totalling 211 days. He argued that in these working days 52 Sundays, 12 Saturdays and 16 Gazetted Holidays to be added. In other words 80 days of Sundays, Saturdays and Gazetted Holidays to be added. He referred that Sundays, Saturdays and Gazetted Holidays should be included in the working days. In this connection he has referred to a decision reported in 1986 Lab I.C. Page 98 in which Hon'ble Supreme Court laid down regarding Sections 25-F and 25-B (2) of 1947 that continuous services are or actual working days has to be calculated and Sundays and other paid holidays should be taken into account while calculating 240 days. So as per law laid down by Hon'ble Supreme Court Holidays and Saturdays be included for calculation of 240 days. In this respect WW-2 Lal Babu Singh stated in examination-in-chief that the concerned workmen though were working for full working days every month, but their attendances were marked for 18 to 22 days a month. They

had been working more than 240 days in a year. The concerned workmen used to do cleaning work and also carry letters etc. from one to other place and were also collecting spill grains and were putting that in bags. During that period no regular messenger or sweeper was posted in that Godown. In this respect MW-2 Binod Kumar has stated in cross-examination at page "It is fact that they were put to work for six days a week with one day break thereafter." This statement of MW-2 shows that only one day break was given to the concerned workmen and work was taken from them for 6 days in a week. It also shows that they were paid and work was taken from them for full month but break of one day was given to them in a week after taking 6 days work.

19. Another law referred to by the representative of workman reported in AIR 1986 Supreme Court page 132 in which Hon'ble Supreme Court laid down the following :—

- "(A) Industrial Disputes Act, 1947 (14 of 1947) Ss. 2 (00) 25F and 2A-Retrenchment—Striking off name of workmen from rolls Amounts to retrenchment—Non-observance of procedure in S. 25F—Retrenchment is invalid—Dispute is covered by S. 2A."

Another law referred by the representative of workman reported in (2003) 8 Supreme Court cases 334 in which Hon'ble Supreme Court laid down the following :—

- "A. Labour Law—U.P. Industrial Disputes Act, 1947 (28 of 1947) Ss. 6-N & 2 (g)—Continuous Service—If a workman has worked for more than 240 days in earlier years, then even though during the year of his retrenchment he has not worked for 240 days, he would be deemed to be in continuous service and his retrenchment would be violative of S. 6N-S. 2 (g)—Industrial Disputes Act, 1947, S. 25-B (as substituted by Amendment Act, 36 of 1964).
- C. Interpretation of Statutes—Particular Statutes—Welfare Statute—Broad interpretation needed—When statute provides relief against certain mischief, court should not deny such relief—Subsidiary rules Interpretation—Mischief rule.

The interpretation propounded for the appellant is wholly untenable. If the viewpoint propounded by the management is accepted, then every year the workman would be required to complete more than 240 days. If in any one year the employer gives him actual

work for less than 240 days, the service of the workman can be terminated without compliance with Section 6-N of the U.P. Industrial Disputes Act despite his having worked for a number of years and for more than 240 days such year except the last. Such an intention cannot be attributed to the U.P."

As per law laid down by the Hon'ble Supreme Court once the workmen have worked for 240 days during earlier years they cannot be retrenched without complying legal procedure prescribed under Section 25F of the I.D. Act, 1947. So it shows that the concerned workmen have completed 240 days in a year and they are entitled for the benefit of Section 25F of the Industrial Disputes Act. In the result, the Award passed by this Tribunal earlier on 9-10-96 is substituted by the following Award :—

"The action of the management of Food Corporation of India in terminating four casual workmen, viz. S/Sri Ram Kripal Singh, Saryug Choudhary, Satish Kumar and Anil Kumar, without complying the provisions of Sec. 25F of the I.D. Act, 1947 and denying to take them back in employment from the date of their retrenchment is not justified. The management is directed to re-instate the concerned workmen with effect from June, 1987 with full back wages and to regularise their services in Class-IV post."

However, there will be no order so as to cost.

H.M. SINGH, Presiding Officer

नई दिल्ली, 24 सितम्बर, 2009

का. आ. 2886.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं भारत इलेक्ट्रॉनिक्स लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-2, मुम्बई के पंचाट (संदर्भ संख्या सीजीआईटी-2/49 का 2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-9-2009 को प्राप्त हुआ था।

[सं. एल-42012/9/2004-आईआर(सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 24th September, 2009

S. O. 2886.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT-2/49 of 2005) of the Central Government Industrial Tribunal-



cum-Labour Court No. 2, Mumbai as shown in the Annexure in the Industrial Dispute between the management of M/s. Bharat Electronics Ltd. and their workmen, which was received by the Central Government on 24-9-2009.

[No. L-42012/9/2004-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 2, MUMBAI

Present : A. A. Lad, Presiding Officer

Reference No. CGIT-2/49 of 2005

Employers in relation to the Management of M/s. Bharat Electronics Limited

The Additional General Manager (P)  
Bharat Electronics Ltd.  
L-1, MIDC Industrial Area,  
Taloja, Tal. Panvel,  
Distt. Raigad (M.S.)

And

Their Workmen

Shri Sharad V. Mahamulkar  
329/5, Menwel Village Ward  
Pereira House  
Old Kurla  
Mumbai-400070

#### APPEARANCES

For the Employer : Mr. George Kurian, Advocate

For the Workmen : Mr. M.B. Anchan, Advocate

Mumbai, dated 26th August, 2009.

#### AWARD

The Government of India, Ministry of Labour by its order No. L-42012/9/2004-IR (CM-II) dated 27-1-2005 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication:

“Whether the action of the management of M/s. Bharat Electronics Ltd., in dismissing Shri Sharad V. Mahamulkar from service w.e.f. 13-11-2002 is just, fair and legal? If not, to what relief the workman is entitled?”

2. Claim statement is filed by second party at Ex.-5 which was replied by first party by filing written statement at Ex-6. Issues were framed at Ex-12 and matter was fixed for recording evidence.

3. However second party did not remain present for recording evidence. Today advocate for second party by

filing application (Ex-15) intimated that second party workman has expired and his legal heir does not want to proceed further with this reference and suggested, to dispose of the reference.

4. In view of Ex-15, following order is passed:

#### ORDER

In view of Ex-15, reference is disposed of for want of prosecution.

Date : 26-8-2009

A. A. LAD, Presiding Officer

नई दिल्ली, 24 सितम्बर, 2009

का. आ. 2887.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं डब्ल्यू.सी. एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 33/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-9-2009 को प्राप्त हुआ था।

[सं. एल-22012/97/2004-आईआर(सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 24th September, 2009

S. O. 2887.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 33/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the management of Dhoptala Sub Area of Western Coalfields Limited, and their workman, which was received by the Central Government on 24-9-2009.

[No. L-22012/97/2004-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

#### ANNEXURE

#### BEFORE SHRI A. N. YADAV, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/33/2005

DATE : 11-9-2009

Petitioner/  
Party No. 1 : The Secretary  
Rashtriya Koyala Khadan Mazdoor Sangh,  
Br. Sasti Incline, C/o Shri Mudatsar Ahmed S/o Khalil Ahmed Bibayani Azad, Ward Rajura, Tah. Rajura, Distt: Chandrapur, Chandrapur (M.S.)

#### Versus

Respondent/  
Party No. 2 : The Sub-Area Manager  
Dhoptala Sub-Area of WCL, Post-Sasti, Tah. Rajura, Dist. Chandrapur, Chandrapur (M.S.)

**AWARD**

(Dated : 11th September, 2009)

1. The Central Government after satisfying the existence of dispute between the Secretary, Rashtriya Koyala Khadan Mazdoor Sangh, Chandrapur on behalf of Shri Mudatsar Ahmed S/o Khalil Ahmed Bibayani Azad (Party No. 1) and the Sub-area Manager, Dhoptala Sub-area of WCL, Chandrapur (Party No. 2) referred the same for adjudication to this Tribunal vide its letter No. L-22012/97/2004/IR(CM-II) dated 14-2-2005 under clause (d) of sub-section (1) and sub-section (2A) of Section of Industrial Dispute Act, 1947 (14 of 1947) with the following schedule :

2. "Whether the action of the management in relation to Dhoptala Sub-Area of Western Coalfields Limited in terminating the services of Shri Mudatsar Ahmed S/o Khalil Ahmed Bibayani, Electrician Helper, Sasti Colliery, vide Office Order No. वेकोलि/साका/45-B/384 dated 26-5-2003 is legal and justified ? If not, to what relief is the workman entitled?"

3. The Petitioner Shri Mudatsar Ahmed S/o Khalil Ahmed Bibayani was working as Electrician Helper in Sasti Colliery, vide Office Order No. वेकोलि/साका/45-B/384 dated 26-5-2003 has raised the dispute before the ALC and on failing of the conciliation proceeding, the Government had referred it to the CGIT. During the pendency of the dispute i.e. reference No. 33/2005 on 20-7-2009 both the parties settled it amicably outside the Court. They arrived at following certain conditions.

**Terms and Conditions :**

1. Shri Mudatsar Ahmed will be re-employed afresh as General Mazdoor in Cat-I for underground mine and he will be paid initial basic of Cat. I (UG) in Ballarpur Area.

2. Such re-employment will be subject to medical fitness so certified by the Company Doctor.

3. Shri Mudatsar Ahmed shall remain on probation for a period of one year from the date of joining and he has to put in minimum 190 days of attendance in a year. In case his attendance and general performance is not found satisfactory by the management, his services shall automatically stand terminated without any enquiry or assigning any reason thereof.

4. Shri Mudatsar Ahmed had received his entitled gratuity for the service he had rendered for the period 14-7-1984 to 26-5-2003 in the company. As such the service of continuity will not be provided for the purpose of gratuity.

5. The period from the date of his termination till re-employment and joining on his duty will be treated as dies-non on the principle of no work no pay.

6. Form -H settlement individually or through union, incorporating the above terms and conditions for entering

into employment and the same will be sent for registration to the Labour Ministry.

7. In case any dispute is pending before the CGIT, the re-employed person should withdraw the same from CGIT by filing a copy of Settlement for consent award. If any matter is pending before any other Courts, the union/ex-employees will withdraw the case from the concerned Court.

8. He shall have no right to apply for VRS at later stage.

They agreed it before the Court by filing the pursis and requested for the Award in that terms. I accepted it and recorded the compromise Award in the terms of it. Consequently, there remained no dispute due to the compromise. Hence, this no dispute Award.

Date: 11-9-2009.

A. N. YADAV, Presiding Officer

नई दिल्ली, 25 सितम्बर, 2009

का. आ. 2888.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैतरनी आयर्न माईन्स के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, भुवनेश्वर के पंचाट (संदर्भ संख्या 125/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-9-2009 को प्राप्त हुआ था।

[सं. एल-26012/37/2002-आईआर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 25th September, 2009

S.O. 2888.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 125/2002) of the Central Government Industrial Tribunal/Labour Court, Bhubaneswar now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Baitarani Iron Mines and their workman, which was received by the Central Government on 23-9-2009.

[No. L-26012/37/2002-

KAMAL BAKHRU, Desk Officer

**ANNEXURE**

**BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR, COURT  
BHUBANESHWAR**

Present : Shri N.K.R. Mohapatra, Presiding Officer,

Industrial Dispute Case No. 125/2002

Date of Passing Award—8th May, 2009

(Rourkela Camp)

**BETWEEN**

The Management of the Agent,

Baitarani Iron Mines of Dr. Sarojini Pradhan,  
At./P.O. Barbil, Dist. Keonjhar, Orissa—758035

1st Party-Management

And

Their Workman Sh. Sabai Chatter,  
S/o Shri Bike Chatter, At./P.O. Kolhi Hundula,  
Dist. Keonjhar, Orissa. 2nd Party-Workman**APPEARANCES**Mr. R. N. Rath, For the 1st Party—Management  
Legal Advisor

None For the 2nd Party—Workman

**AWARD**

The Government of India in the Ministry of Labour, in exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication vide their Order No. L-26012/37/2002 IR-(M), dated 16-12-2002.

“Whether the action of the Management of Baitarani Iron Mines of Dr. S. Pradhan, At/P.O. Barbil, Dist. Keonjhar, in terminating the services of Shri Sabai Chatter, S/o. Bike Chatter; At./P.O. Kolho Hundula, Dist. Keonjhar, PRW with effect from 24-12-1999 without serving any notice and without following the provisions of Industrial Disputes Act, 1947 is justified? If not, what relief the workman is entitled to?”

2. It is alleged by the workman in his claim statement that he joined in the Baitarani Iron Mines of Dr. Sarojini Pradhan in June 1989 to work as a Miner. While he has worked as such continuously he all of a sudden was refused employment with effect from 24-12-1999 without any advance notice or any terminal benefits being paid to him. He was told that his termination was due to lack of mining activities and that once the production of minerals commences he would be intimated later. It is further alleged by the workman that thereafter he was never called to work and therefore he made a representation for his reinstatement with full back wages and then due to apathetic attitude of Management he raised an Industrial Disputes.

3. In the written statement the 1st Party-Management alleged that the workman was never engaged on regular basis. Rather himself and few others were engaged in the

mine on piece rated basis as and when necessary upon their offering to work and they were being paid depending upon the quantum of work performed by them each day. It is further alleged that during non-engagement period these piece rated workers used to work in other mines on daily rated basis. So far as the case of the workman is concerned it is further submitted by the management that the workman having worked for days as a piece rated worker did not turn up for work voluntarily much before the alleged date of termination and as such the allegations of the workman that he was refused employment from 24-12-1999 without any advance notice or terminal benefits is nothing but a myth and fictitious story. It is further contended by the management that the present reference is the brain child of one Shri B. S. Pati, the General Secretary of the so called North Orissa Workers Union with which the Management had got no connection. It is alleged that this and several other cases have been mooted against the Management at the behest of Shri B. S. Pati, an outside Trade Unionist for his ulterior motive.

4. From the record it transpires that, ever since the inception of the case Shri B. S. Pati, General Secretary, North Orissa Workers Union is alone appearing on behalf of the workman as his authorized representative. In one such case between the Management and its workers Shri B. S. Pati was declared incompetent to represent the piece rated workers of Baitarani Iron Mines for the reason that these workers were not belonging to the aforesaid Union. In O.J.C. 17216/2001 the Hon'ble Court in an alike manner has held that Shri B. S. Pati the General Secretary of the North Orissa Workers Union is not competent to represent one Shri Madhusudhan Naik a worker of the Management-Company. In the present case also except Shri Pati the workman has never appeared. Though the workman was specifically asked to appear today; he has failed to appear. Rather Shri Pati as usual appeared though he has no locusstandi to represent the workman. As a result the workman was set ex parte and the evidence of the Management through affidavit was accepted.

5. From the aforesaid evidence as adduced by the Management it transpires that the disputant-workman and few others were engaged as and when required as piece rated worker and they were being paid on the basis of quantum of work performed by them whenever engaged. In the claim statement the workman has of course stated that he was taken to employment in June 1989 and was refused employment from 24-12-1999. But there is no mention that, he was given such employment on regular basis and that he was issued with any letter of appointment. At para 4 of the claim statement he further averred that when he approached the management to know

about his non-engagement he was told that for lack of mining activities he could not be engaged but he would be called upon again once the production of the materials is taken up. He further stated that when he was not intimated as to when such production would be taken up, he made a representation for his reinstatement with full back wages. These averments of the workman indirectly suggests that he was engaged as a piece rated worker as contended by the management. Besides the evidence of the management shows that the workman had voluntarily expressed his willingness to work under the 1st Party-Management on personal grounds and as such the allegations of the workman that he was terminated from 24-12-1999 appears to be un-believable for want of any evidence being adduced from his side. On the other hand the time to time participation of Shri B.S. Pati to represent the workman further strengthens the belief, as contended by the Management, that the case has been mooted at the behest of Shri Pati, an outsider Trade Unionist with whom the disputant has no legal connection.

6. In view of the above and for lack of any evidence from the side of the workman it is held that there is no merit in the dispute and accordingly the reference is answered ex parte against the workman.

N. K. R. MOHAPATRA, Presiding Officer

नई दिल्ली, 25 सितम्बर, 2009

का. आ. 2889.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैतरनी आयरन माईन्स के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ श्रम न्यायालय, भुवनेश्वर के पंचाट (संदर्भ संख्या 118/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-9-2009 को प्राप्त हुआ था।

[सं. एल-26012/30/2002-आईआर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 25th September, 2009

S. O. 2889.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 118/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneshwar now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Baitarani Iron Mines and their workman, which was received by the Central Government on 23-9-2009.

[No. L-26012/30/2002-IR(M)]

KAMAL BAKHRU, Desk Officer

## ANNEXURE

### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BHUBANESHWAR

Present : Shri N.K.R. Mohapatra,

Presiding Officer, CGIT-CUM-LABOUR COURT,  
BHUBANESHWAR.

Industrial Dispute Case No. 118/2002

Date of Passing Award—8th May, 2009

(Rourkela Camp)

### BETWEEN

The Management of the Agent,  
Baitarani Iron Mines of Dr. Sarojini Pradhan,  
At./P.O. Barbil, Keonjhar, Orissa—758035

1st Party-Management

### AND

Their Workman

Sh. Bagun Munda,  
S/o Shri Sammu Munda,  
At./P.O. Dhobakuchida,  
Via-Champua, Dist. Keonjhar,  
Orissa.

2nd Party-Workman

### APPEARANCES

Mr. R. N. Rath, For the 1st Party Management  
Legal Advisor

None. For the 2nd Party Workman.

### AWARD

The Government of India in the Ministry of Labour, in exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication vide their Order No. L-26012/30/2002-IR (M), dated 16-12-2002.

“Whether the action of the Management of Baitarani Iron Mines of Dr. S. Pradhan, At./PO., Barbil, Dist. Keonjhar, in terminating the services of Shri Bagun Munda, S/o. Sammu Munda, At./PO. Dhobakuchida, Via: Champua, Dist. Keonjhar, PRW with effect from 1-10-1990 without serving any notice and without following the provisions of Industrial Disputes Act, 1947 is justified? If not, what relief the workman is entitled to?”

2. It is alleged by the workman in his claim statement that he joined in the Baitarani Iron Mines of Dr. Sarojini Pradhan in June 1989 to work as a Miner. While he has worked as such continuously he all of a sudden was refused employment with effect from 1-10-1999 without any advance notice or any terminal benefits being paid to him. He was told that his termination was due to lack of mining activities and that once the production of minerals commences he would be intimated later. It is further alleged by the workman that thereafter he was never called to work and therefore he made a representation for his reinstatement with full back wages and then due to apathetic attitude of Management he raised an Industrial Disputes.

3. In the written statement the 1st Party-Management alleged that the workman was never engaged on regular basis. Rather himself and few others were engaged in the mine on piece rated basis as and when necessary upon their offering to work and they were being paid depending upon the quantum of work performed by them each day. It is further alleged that during non-engagement period these piece rated workers used to work in other mines on daily rated basis. So far as the case of the workman is concerned it is further submitted by the management that the workman having worked for some days as a piece rated worker did not turn up for work voluntarily much before the alleged date of termination and as such the allegations of the workman that he was refused employment from 1-10-1999 without any advance notice or terminal benefits is nothing but a myth and fictitious story. It is further contended by the management that the present reference is the brain child of one Shri B. S. Pati, the General Secretary of the so called North Orissa Workers Union with which the Management had got no connection. It is alleged that this and several other cases have been mooted against the Management at the behest of Shri B. S. Pati, an outside Trade Unionist for his ulterior motive.

4. From the record it transpires that, ever since the inception of the case Shri B. S. Pati, General Secretary, North Orissa Workers Union is alone appearing on behalf of the workman as his authorized representative. In one such case between the Management and its workers Shri Pati was declared incompetent to represent the piece rated workers of Baitarani Iron Mines for the reason that these workers were not belonging to the aforesaid Union. In O.J.C. 17216/2001 the Hon'ble Court in an alike manner has

held that Shri B.S. Pati, the General Secretary of the North Orissa Workers Union is not competent to represent one Shri Madhusudhan Naik a worker of the Management-Company. In the present case also except Shri Pati the workman has never appeared. Though the workman was specifically asked to appear today, he has failed to appear. Rather Shri Pati as usual appeared though he has no locus standi to represent the workman. As a result the workman was set ex parte and the evidence of the Management through affidavit was accepted.

5. From the aforesaid evidence as adduced by the Management it transpires that the disputant-workman and few others were engaged as and when required as piece rated worker and they were being paid on the basis of quantum of work performed by them whenever engaged. In the claim statement the workman has of course stated that he was taken to employment in June 1989 and was refused employment on 1-10-1999. But there is no mention that, he was given such employment on regular basis and that he was issued with any letter of appointment. At para 4 of the claim statement he further averred that when he approached the management to know about his non-engagement he was told that for lack of mining activities he could not be engaged but he would be called upon again once the production of the materials is taken up. He further stated that when he was not intimated as to when such production would be taken up, he made a representation for his reinstatement with full back wages. These averments of the workman indirectly suggests that he was engaged as a piece rated worker as contended by the management. Besides the evidence of the management shows that the workman had voluntarily expressed his unwillingness to work under the 1st Party-Management on personal grounds and as such the allegations of the workman that he was terminated on 1-10-1999 appears to be un-believable for want of any evidence being adduced from his side. On the other hand the time to time participation of Shri B.S. Pati to represent the workman further strengthens the belief, as contended by the Management, that the case has been mooted at the behest of Shri Pati, an outsider Trade Unionist with whom the disputant has no legal connection.

6. In view of the above and for lack of any evidence from the side of the workman it is held that there is no merit in the dispute and accordingly the reference is answered ex parte against the workman.

N. K. R. MOHAPATRA, Presiding Officer

नई दिल्ली, 25 सितम्बर, 2009

का.आ. 2890.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कोटेश्वर लाईम स्टोन माईन्स के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एलसी/आर/21/05 एवं 40/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-9-2009 को प्राप्त हुआ था।

[सं. एल-29011/97/2002-आई. आर. (एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 25th September, 2009

S.O. 2890.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/21/05&40/2003) of the Central Government Industrial Tribunal / Labour Court, Jabalpur as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Koteswar Lime Stone Mines and their workmen, received by the Central Government on 23-9-2009.

[No. L-29011/97/2002-IR(M)]

KAMAL BAKHRU, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM- LABOUR-COURT, JABALPUR

No. CGIT/LC/21/05 & 40/03

Presiding Officer: Shri Mohd. Shakir Hasan

Shri Bachchan Nayak President,  
Ispat Khadan Janta Mazdoor Union,  
10, Sawarkar Road, New Basti  
Katni (MP)

Workmen /Union

Versus

The director,  
Steel Authority of India Ltd.  
Ram Materials Division,  
Industry House, 10,  
Camac Street,  
Kolkata

Management

#### AWARD

Passed on this 16th day of September, 2009

1. The Government of India, Ministry of Labour vide its Notification No. L-29011/97/2002-IR(M) dated 27-01-93 has referred the following dispute for adjudication by this tribunal :—

I. “ Whether the action of the Mines Manager, Koteswar Lime Stone Mines of Steel Authority of India Ltd. in terminating services of 3404 (3380+24-as per list attached) mine workers in

March, 1996 who ceased to be contract labour after prohibition of employment of contract labour in Lime Stone Mines vide Notification No. S.O. 707 dated 17-3-93 was legal fair and justified ? If not, what relief the concerned workmen or heirs in case of deceased worker are entitled to?”

II. “ Whether the Action of the Mines Manager, Koteswar Lime Stone Mines of Steel Authority of India Ltd. in denying terminal benefits of gratuity retrenchment compensation and exgratia applicable to VRS seeking employees is fair and justified. If not, to what relief these workers/heirs are entitled to ?”

III. “Whether the action of the management of the Mines Manager, Koteswar Lime Stone Mines of Steel Authority of India Ltd. in disregarding Clause-8 of Memorandum of Agreement signed between the Steel Authority of India, New Delhi and their Unions including HMS and employing workers through contractors on job of permanent and perenniel nature in Mines between 5-20 years even without ensuring statutory wages and service conditions was legal fair and justified? If not, to what relief concerned workmen/heirs are entitled ?”

2. The above reference was registered as Case No. CGIT/LC/R/40/03.

3. Thereafter a corrigendum dated 9-4-2003 was received from the Ministry that Ministry's order of even number dated 27-1-2003, in the schedule thereof, the month and the years of termination appearing in the second sentence may be read as “ April, 1996” instead of “March, 1996”.

4. Again the Government of India Ministry of Labour vide its Notification No. 29011/97/2002-IR(M) dated 22-2-2005 referred the following dispute for adjudication by this Tribunal in compliance of the directions of the Honourable Supreme Court of India on special leave Petition No. 23288/2002 filed by the Ispat Khadan Janta Mazdoor Union—

“Whether the employment of the workmen mentioned in this Ministry's order of even number dated 27-1-2003 through contractors is sham and bogus and whether in effect there is direct employment by the company? If so, to what relief the workman concerned are entitled?”

5. The said reference was registered by this Tribunal on 28-2-2005 as case No. CGIT/LC/R/21/05.

6. Both the references are taken up together in the ends of justice as both are inter-connected with each other which are on a common subject matter.

7. According to the Union/workmen, steel Authority of India Limited (hereinafter is short is referred as SAIL)

has owned a captive line stone and dolomite mine at Kuteshwar in Katni Distt. in Madhya Pradesh. The management of SAIL and the workmen have entered into number of settlements. An agreement also provides for abolition of Contract Labour. Relevant portion of the agreement dated 27-10-70, 5-7-89 are reproduced below:—

“8. GENERAL;

8.1 Abolition of contract Labour.

8.1.1 Industry shall not employ labour through contractor or engage contractor's labour on jobs of permanent and perennial nature.

16-12-93- Jobs of permanent nature and perennial nature which are at present being done departmentally will continue to be done departmentally will continue to be done by regular employee.”

8. It is stated that about 5000 laborers had been employed by SAIL in violation of the above provision from May, 1979 at Kuteshwar and they were not paid similar wages as regular workers for similar work. The statutory right of the workers under Mines Act and under contract Labour (Regulation and Abolition) Act, 1970 (in short CLRA Act, 1970 was violated and its benefit was also denied to the workers.

9. The so called contract labourers were working in the captive mine and the entire product was for the use of SAIL and nothing was sold outside. The management of Kuteshwar Lime Stone exercised supervisory powers over the workers employed by the contractors. Management used to issue direction with reference to disciplinary action and work and attendance was marked by the employees of SAIL. The wages of the workers were paid by the SAIL. The contractors were mere commission agent and contract was sham and bogus. The work was of a perennial and permanent nature. The workers employed through the alleged contractors were in fact and in law workers of SAIL.

10. The Union is said to have raised the issue of workers for their regularization and payment of regular wages. It is stated that even if they were employed through contractors, they are entitled similar wages for similar work as have been paid to the employees directly employed by SAIL under the provision of CLRA Act, 1970.

11. It is further stated that when the management failed to regularize the workers, the Union took up the matter with the labour department who referred the matter to Contract Labour Advisory Board. Thereafter the said Board recommended prohibition of Contract Labour after visiting Kuteshwar lime stone. The Central Government thereafter by notification dated 17-3-93 prohibited the employment of contract labour in respect of raising of mineral including breaking sizing, sorting of lime stone, dolomite and transportation of limestone and dolomite which includes loading and unloading from Trucks, dumpers, conveyers and transportation from mine site to

Factory. All the contractor's labour were doing the same work prohibited under the notification. The workers who were in employment on 17-3-93 through the contractors continued to work on the same place and Same job without any break from 17-3-93. The Union protested for regularization and for similar wages, then all of a sudden the workers were stopped from entering the work place and prevented from doing their duties since April, 1996. Though they were regularly reporting for duty but they were not permitted to enter into the premises.

12. It is stated that the management has neither issued any chargesheet nor any order of termination. All the workers have completed 240 days service in a calendar year. They are entitled to reinstatement with full back wages, interest and compensation. The action of the management is also unfair labour practice This is also an act of victimization and action taken was not in good faith. It is further stated that during the pendency of dispute several workers have died. The Hon'ble Supreme Court appears to have directed the Central Government to make reference in SLP No. 23895/2002 vide order dated 8-12-2003.

13. It is also stated that 2040 workers filed cases under Minimum wages Act before the Hon'ble High Court wherein W.A.34/2006 and W.A. 83/2006 the Hon'ble Court has held Minimum Wages is applicable and directed to pay the minimum wages. On the basis of above facts, It is submitted that the action of the management in terminating the services of 3404 mine workers in April 1996 who ceased to be contract labour after prohibition of the employment of contract labour in lime stone mine vide notification No. S.O. 707 dated 17-3-93 was illegal, unfair and unjustified and they are entitled for reinstatement with full back wages.

14. The contention of the management is that the reference is bad for non-application of mind because the issues which were not in dispute or covered in the minutes of the conciliation officer dated 12-8-2002, are also referred in the reference and also its excess of jurisdiction which are to be adjudicated by other adjudicating authorities.

15. It is stated that the Union should produce copy of its certificate of registration establish its true identity. The reference that they ceased to be contract labour after publication of notification dated 17-3-93, shows non-application of mind as certain disputed facts relating to the employment of the workmen appear to have been presumed.

16. It is admitted that SAIL is Government of India undertaking and is a State under the constitution of India and has steel plants in different parts of India. It is also admitted that SAIL has one of the captive Lime Stone and dolomite mine in Kuteshwar in the District of now Katni of Madhya Pradesh. It is also admitted that certain wage agreements were entered in to at the level of NJCS where representative of main steel producers and their Unions representing their workman were parties. The said

agreement also provided that the parties to the agreement would review the progress made in these areas. Some of the relevant clause are reproduced below:—

**“AGREEMENT PROVISIONS IN RELEVANT  
DATED CLAUSE**

27-10-1970 : Clause 6.4. Abolition of contractor's Labour

It is an agreement in principle that the industry shall not employ labour through contract or sorengage contractors labour in jobs of permanent and perennial nature. The progress of implementation of this clause will be reviewed by this Committee from time to time.

5-7-1989 : 8.0 : General.

8.1 : Abolition of Contract Labour.

8.1.1 : Industry shall not employ labour through contractor or engage contractor's labour on jobs of permanent and perennial nature.

8.1.2 : Jobs of permanent and perennial nature, which are at presant being done departmentally will continue to be done by regular employees.

8.1.3 : Implementation of this clause and the progress made thereon will be reviewed by NJCS every three months.

18-5-1995 3.5 : General.

3.5.1 : Abolition of Contract Labour

3.5.1.1 : Jobs of permanent and perennial nature, will continue to be done by regular employees.

3.5.1.2 : Industry shall not employ labour through contractors or engage contractors' labours on jobs of permanent and perennial nature.

3.5.1.3 : Implementation of this clause and the progress made thereon will be reviewed by NJC periodically.

17. It is stated that there is no violation of the above agreement and no right accrues to contract labour nor the alleged Union raised any dispute about the non-implementation of the said agreement. It is denied that at any time 5000 contract labourers were employed by the contractors engaged by SAIL at Kuteshwar Lime Stone Mine.

18. The further contention is that the Chief Labour Commissioner (C) has exclusive jurisdiction under the provision of Rule 25 (2) of the Contract Labour (Regulation

and Abolition) Central Rules, 1971 to decide whether the type of work performed is same or similar in nature to the type of work done by the workmen directly employed by the management. However it is denied that the contract labour did same work as the rear workers. It stated that the dispute of wages being paid to the contract labour has been separately agitated by the union before Regional Labour Commissioner (C) under the Minimum Wages Act who happens to be competent authority under the Act.

19. It is stated that there in no violation of the rights of the Contract Labour, rather the management was ensuring that the contractors were complying the provision of CLRA Act, 1970. It is denied that the contract of the contractors was sham and camouflage and they were mere commission against. The contractors were to produce lime stone of specified grades and specified size at specified rates of production. Penalties were also provided for deviation in the contract. The management of Kuteshwar Lime Stone Mine inspected and ensured that lime stone of agreed grade and size were being sent to the Steel Plants as it was provided under the Mines Act. It is denied that the management of Kuteshwar Lime Stone Mine was exercising the power of supervision or were disciplinary authority. The contract labours were employed by the contractors and they were supervised and controlled by them for all purposes.

20. It is admitted that SAIL did blasting work as this work had been departmentalized by Notification No. S. 16025/88/77-LW/W dated 15-12-1979 w.e.f. 22-6-1980. It is true that many of the activities of the mines have been going for long periods. Contractors were engaged who did some of the mining activities through contract labours where it was difficult to use machineries. It was done by inviting tenders.

21. It is stated that the notification was issued by the Government of India vide notification No. S.O. 707 dated 17-3-93 without proper application of mind in the light of Sec.-10(2) of the CLRA Act by the Government and by the Committee specially constituted for the purpose. The said notification prohibited the employment of contract labours in the lime stone and doloimit mines in the following jobs—

- (1) Raising of mineral including breaking, sizing, sorting lime stone/dolomite, and
- (2) Transportation of limestone and dolomite which includes loading into and unloading from trucks, dumpers, conveyors and transportation from Mine site to factory.”

The said notification also includes transportation on public roads for which the Central Govt. is not the appropriate Government. The defect was sought to be amended or modified by notification dated 4-7-96 but the Govt. was not competent when the jobs for abolitions Contract Labour was notified.



22. It is stated that M/s. Eastern Mineral Trading Agency (EMTA) working at Kuteshwar filed writ petition before the Hon'ble Calcutta High Court and similar writs were also filed by other contractors wherein the Hon'ble Calcutta High Court passed interim order. The Union also had filed writ. Thereafter the contractor abandoned the work in 1997 and had closed its establishment at Kuteshwar. Having no interest in writs the Hon'ble Court dismissed on 1-4-1998 and the stay was vacated. However some other contractors had also filed writ before the Hon'ble Calcutta High Court challenging the notification dated 17-3-1993 where in the Hon'ble Calcutta High Court also passed orders in 1994 restraining the respondents including the Union of India and SAIL from giving effect to the said notification and the said stay orders are still in force.

23. It is denied that the workmen, who were in employment in 1993 are still in employment without any break from 17-3-1993. It is stated that the services of the contract labourers were terminated by the contractors some time in March 1996 who were their employers. It is stated that there was no relationship of master and servant between the management of SAIL and the contract labourers. The contracts with the contractors had also come to an end and therefore it is denied that the workers were prevented from entering mines by SAIL from 1996 onwards. It is denied that the contract labourer had worked for 5 to 20 years at Kuteshwar Lime Stone Mines rather it was vague and general assertion. It is submitted that no dispute award be passed.

24. On the basis of pleadings of both the parties, the following issues are re-cast for adjudication—

- I. Whether the reference R/40/03 is maintainable?
- II. Whether the employments of the workmen through contractors is sham and bogus and whether the employment is considered to be direct employment by the management?
- III. Whether the Action of the Mines Manager, Kuteshwar Lime Stone Mines of the Steel Authority of India Ltd. in terminating the services of 3404 (3380+24) as per list attached mine workers in April, 1996 who ceased to be contract labour after prohibition of employment of contract labour in lime stone mine vide Notification No. S.O. 707 dated 17-3-1993 was legal, fair and justified?
- IV. Whether the said contract workers/heirs are entitled the terminal benefits of gratuity, retrenchment compensation and ex-gratia applicable to VRS from SAIL?
- V. Whether Lime Stone Mines violated the provision of Clause- 8 of the memorandum of agreement signed between the SAIL, New Delhi and their Union and employing workers through contractors on job of Permanent and perennial nature was justified legal and fair?

VI. Whether the workman/heirs are entitled to the wages to the post in which they were engaged with parity with that of regular employees of the management with all consequential benefits?

VII. Any other relief, the workmen/heirs are entitled to?

25. Before discussing on issues, it is proper to enumerate the admitted facts on the basis of the pleadings of both the parties. The following facts are admitted facts—

1. SAIL is Government of India undertaking and is State under the constitution of India and has steel plants in different parts of India.
2. SAIL has one of the captive lime stone and Dolomite Mines in Kuteshwar in the District of Katni of Madhya Pradesh.
3. Lime stone and dolomite are necessary ingredients of manufacture of steels.
4. The Notification No. S.O. 707 dated 17-3-93 was issued and published by the Government of India whereby prohibited with effect from the date of publication of this notification the employments of contract Labour in the works specified in the following schedule in the Lime Stone and Dolomite Mines in the country namely:

#### SCHEDULE

- a. Raising of minerals including breaking, sizing, sorting of Lime Stone Dolomite and,
- b. Transportation of limestone and dolomite which includes loading and unloading from trucks, dumpers, conveyors and transportation from mine site to Factory.
5. The SAIL did blasting work as this had been departmentalized by Notification No. S. 16025/88/77-LW/W dated 15-12-1979 w.e.f. 22-6-1980.
6. The Contract labours of the contractors at Kuteshwar Lime Stone Mines were doing the same jobs as enumerated in schedule of the Notification No. S.O. 707 Dated 17-3-1993.

#### 26. Issue No. II—

The first and foremost point for consideration is the status of the contract labours. If the contract is found to be sham and bogus, the so called contract labour will have to be treated as employees of the Principal employer or if the contract is found to be genuine, the so called contract labour will have to be treated as employees of the contractors before the issuance of Notification dated 17-3-1993 Prohibiting the employment of contract Labour. It thereafter the contract labours or contractors are engaged by the principal employer or the contractors, the status is further to be determined of these called contract labour.

27. To determine the status of the contract labour, the factual aspects are to be examined. The Union and the management have examined oral and documentary evidence

in the case. The definite case of the Union is that the management (SAIL) has employed 5000 labourers on permanent and perennial nature of work from May, 1979 onwards in their captive mines at Kuteshwar. It is also stated that wages of the workers were paid by SAIL and the contractors were commission agent. All the workers who were in employment on 17-3-1993 continued to work with out break. The SAIL had economic control as well as had power to terminate the services. The management supplied tools and had power to supervise the work.

28. The oral evidence adduced by the union paints different pictures. In reference case No. CGIT/LC/R/40/03, the union has examined 16 witnesses as where in reference case No. CGIT/LC/R/21/05, 74 witnesses are examined. Two witnesses are common in both cases. The witness Nathulal Pandey is General Secretary of HMS Union. He is not worker of the said mines. He has visited only twice there. He has admitted that the labourers were engaged by the contractors. He has no personal knowledge. He came to know from the workers of the mines. He has not disclosed the name as to who had told him. He appears to be hear say witness. He has stated that he entered in to the mine without any permission. Mines Act prohibits entry into the mine without permission of the Mines Manager. His visit in the mines appears to be doubtful. The witness Jagdish Prasad Tiwari is president of Bokaro Steel Lime Stone Mines Workers Union. He is also not an employee of Kuteshwar mine.

29. The witnesses Mangal and Kodulal are also examined in Case No. R/21/05. Initially they have stated that the duties, were allotted by the SAIL officer. Attendance was taken by the SAIL, payment was made by SAIL but they were enrolled in the list of contractors. Subsequently in cross-examination, they have stated that before 17-3-1993 they were workers of the contractor and payment was done by the contractors. Wage slips are filed which show that the wages were being paid by the contractors. There is no such pleading of the Union and is a new case that before the notification, the workers were of the contractors and wages are being paid by them. The case of the management is that they were workers of the contractors from the very beginning and evidence of the union also supports the case of the management.

30. The other witnesses examined in R/40/03 have also supported the facts that they were appointed by the contractors and they worked under their supervision before notification dated 17-3-1993. Thereafter they were employees of the SAIL. They have also supported this fact that half of the P. F. Amount of the workers were deposited by their respected contractors. This fact supports the case of the management. They have also admitted that wages slips and Identity cards were issued to them. These documents show that it were issued by the respective contractors. These facts clearly show that there was complete control of the contractors on the contract

labourer. The witness Kaushal Kishore Tiwari admitted that he worked on the direction of the officer of the contractor till the year 1996. He has fully supported the case of the management.

31. In the reference Case No. CGIT/LC/R/21/05 the Union has examined 74 witnesses. Out of these witnesses 13 witnesses namely Phulchand Kewat, Ramvishal Kewat, Kallu Kewat, Kali Bai, Mira Kol, Jamuna Singh Gond, Namai Sahu, Saukhi Lal Kol, Daddi Vishwakarma, Kachedi Kol, Jagdish Vishwakarma, Lalla Patel and Mira Bai have stated in their cross examination that the lawyer has prepared the affidavits and they have only either signed or given L.T.I. on it. The affidavits are the examination-in-chief of the witnesses as provided under order 18 Rule 4 of the C.P.C. The another peculiar circumstances also show that all the evidence (examination-in-chief) by affidavits except few in number are same even full stop and comma except names and year denoting the year of service. The clear inference is to be drawn that these evidences (examination-in-chief) are not of the witnesses and it is a misuse of the process of law.

32. The two witnesses namely Shri Mangal Gadari and Shri Kodulal Kol are also examined in Case No. R/40/03. Their evidence has already been discussed earlier.

33. Other witnesses in cross-examination have stated in his evidence that wage slips and Identity Cards were issued to them. The photocopies of wage slips and Identity Cards show that it were issued by the respective contractors. This shows that the respective contractors paid wages to the contract labours and in evidence few of the witnesses have also supported payment by contractors. The Identity Cards further show that the contract labours were employees of the contractors. The Photocopies of Provident Fund slips are also filed by the witnesses of the Union but these slips do not disclose the name of the employer. It is difficult to say from these photocopies of P.F. Slips that the contributions of the P.F. of the workmen were deposited either by the contractor or by Principal employer. However few of the witnesses of the Union have stated that half of the provident fund amount was deposited by the contractors. This shows that the witnesses have supported the case of the management that the contractor labours were of the contractors.

34. Now let us examine the documentary evidence adduced on behalf of the Union. The Union has filed the following documents in Case No. CGIT/LC/R/40/03. Exhibit W-1 is the order of reference dated 14-5-97 of the Ministry of Labour. This is filed to show that the reference was made earlier to this Tribunal whereby a case was registered which was numbered as CGIT/LC/R/120/97. This reference shows that the contract labours of Kuteshwar Lime Stone Mines raised issue for appointment in view of the Notification No. 707 dated 17-3-93. This document appears to be not helpful to the Union rather it appears that they were not in the employment of SAIL. Exhibit W-2 is the

Notification dated 24-7-03 of Ministry of Labour whereby the Ministry published the award (Reference No. 120/97 of this Tribunal). The award of the above reference was passed in Case No. CGIT/LC/R/120/07 and in compliance of the order passed in LAP 326/97 in Steel Authority of India Ltd. Versus Ispat Khadan and another. This reference case was dismissed with no order as to cost. This award is also of no use to the Union.

35. Exhibit W-3 to W-13 are the representations sent by Shri Bachan Nayak, President of the union to different authorities for regularization and payment of wages of the contract labours employed through the alleged contractors in Kuteshwar Lime Stone Mines. It is raised by the Union that the Central Government in exercise of powers under Sec.-10 (1) of the CLRA Act, 1970 has prohibited the employment of contract labour in Lime Stone and Dolomite mines by Notification dated 17-3-1973. It is also raised in the representations that the Hon'ble Apex Court in the case of Air India Statutory Corporation Versus United Labour Union and others (1997) 9 S.C.C. 377 has held that when Contract Labour is abolished the persons employed through the contractors will be employees of the management (SAIL). The above case of the Apex Court is over ruled by another judgement of the Apex Court reported in (2001) 7 SCC 1 National Water Front Workers and others. Thus these representation to the different authorities simply show that the Union only raised the demand for regularization of the service.

36. Exhibit W-14 is the copy of the complaint case filed before the National Human Rights Commission, New Delhi. This is filed to show that the matter was raised before the Commission for compensation to the heirs of the deceased workmen or to give employment to them. This complaint before the Commission does not prove the point for consideration. Exhibit W-15 is the contents of terms of agreement. This is filed to show that it is Bipartite agreement in NJCS. This agreement appears to be applicable to those employees who were employees of SAIL and TISCO. Contract labours were parties to the agreement. It is yet to be decided that as to whether the contract labours are deemed to be employees of the SAIL. This agreement does not substantiate the case of the union. W-16 is the Memorandum of Agreement. This is a bipartite agreement. This appears to be for regular employees of the SAIL. Exhibit-17 is a press release. It has no evidentiary value. Exhibit 18 is a circular of SAIL, Raw Materials Division with respect to the voluntary retirement Scheme-1999. This is for regular/permanent employees. Annexure-I is same which is Exhibit-18. Annexure A-1 is Exhibit-16. Annexure-A-2 is Memorandum of Understanding of NJC for the Steel Industry. This is also for employees of the SAIL and was not for contract labour. Annexure A-4 is so called list furnished of the workmen who expired out of 3403 applicants. Annexure A-5 is the same Press Release who has no evidentiary value. Thus the documentary evidences adduced

by the Union do not establish that they were employees of the SAIL and the contract was sham and bogus.

37. In reference Case No. CGIT/LC/R/21/05, the Union has also adduced documentary evidence. Exhibit W-1 is the order of reference dated 14-5-97 of the Govt. of India. This order is also filed in R.40/03. Exhibit W-2 is the order sheets of Case No. R/120/97. Exhibit W-4 is the award of R/120/97. It is also filed in the earlier reference. The relevancy is also discussed earlier. Exhibit W-3 to Exhibit W-6, Exhibit-11 to Exhibit -18 are the different representations to the authorities and a complaint to the Human Rights Commission. These documents are common documents which were also filed in Case No. R/40/03.

38 Exhibit W-8 to W-10 and Exhibit W-56 are the news published in daily news papers. These news items have no evidentiary value. Exhibit W-19 is the Notification No. S.O. 707 dated 17-3-93. It is an admitted document whereby under Sec.-10, Sub-Section (1) of the CLRA Act, 1970, the Central Government, after consultation with the Central Advisory Contract Labour Board Prohibits with from the date of publication of this notification the employment of contract labour in the works specified in the schedule.

39. Exhibit -20 to Exhibit W-37 are the representations for regularization and its correspondence of the respective authorities. These documents do not establish the point in dispute, rather it simply shows that the matter was agitated by the Union.

40. Exhibit W/38 is the membership register of the Union. This register is of Ispat Khadan Janta Mazdoor Union, Kuteshwar Lime Mine Stone of the year 1997. This is not of the relevant period. Exhibits W/39 to W/54 are the photocopies of the Identity Cards, Pay slips, PF slips etc. submitted by the contract labour which are filed as Articles containing contract labours from 1 to 3079. The original of these photocopies are not filed. It is supposed that it were in the possession of the workers. However on perusal of these wage slips and Identity Cards it is clear that it were issued by the respective contractors of the contract labours. The inference is to be drawn that wages were being paid by the contractors to the contract labour. The Identity Cards have also identified the contract labours of the respective contractors. These documents support the case of the management. These wage slips and Identity Cards do not show that all 3079 were also working after the notification dated 17-3-93 without break because number of these documents are also of prior to the notification. Exhibit W-55 are the photocopies of death certificate of 65 deceased workmen.

41. On the other hand, the management has also adduced oral and documentary evidence in both reference cases. In case No. R/40/2003, the management has examined two witnesses and in Case No. R/21/2005, three witnesses are examined. Out of these witnesses, Shri T. K. Dhali and Shri R. K. Jha are common witnesses in both the reference

cases. Now let us examine the oral evidence adduced by the management. Management witness Shri T.K. Dhali was posted at Raw Materials division, Kolkata since 16-6-93 and was looking after the job of Personnel functions including the job of Industrial Relations in RMD Mines. He has stated in his evidence that as per contract agreement and as per Section-12 of CLRA Act, the contractors were responsible for obtaining the contract labour licence from the labour authority and the same were obtained and also renewed from time to time. He has supported this fact that the contract agreements were signed between the SAIL and the contractors and the contractors as the employees were responsible for making payment of wages to the contract labours and to comply all the statutory obligations. He has stated that the management as a principal employer was only responsible to certify the payment of wages made by the contractors and to ensure that contract labours were being paid according to Minimum Wages Act. The contractors were exercising exclusive control over the contract labours and tools and equipments were supplied by the contractors as per term of the contract. He has further stated that the contract labours went on strike in the month of April-1996 as such, the contractors terminated the services of the contract labour. The evidence shows that the contractors had full controls over the work and also on workers.

42. Shri P.S. Nair, the Learned Senior Counsel for the Union has drawn attention of the cross examination of Shri T.K. Dhali of the case No. R/40/2003 and also Paras-31,35,36,37 &38 of the case No. R/21/2005. This witness has stated in cross-examination that the management maintained records in respect of Kuteshwar as per the provision of Minimum Wages Act, Mines Act, Mines Rules. The Kuteshwar Mine maintained the form B,C,D,E as per the Mines Act. Form B for about 1500 workers are maintained during the period of 1993 to 1995. He has further stated that the contractors were maintaining Form B up to 1995 under the supervisions of the Mines Manager. The work of blasting was being supervised by the Mines Manager. It is an admitted fact that the blasting work was departmentalised.

43. This witness has further stated that the original documents are available in Kuteshwar Mine. He has verified the original documents. He has stated that he has prepared affidavit based on information received from office records. He has seen wage sheets of 600-700 workers of 1993 and copies of 2000 notices issued to the workers by the contractors. He has also seen wage sheets of contractors namely M.C.C. and Singhal Enterprises. There were eight contractors and all of them were preparing wage sheets. He has stated that he has not filed those documents before the Tribunal. He has also admitted that he had not worked in Kuteshwar Lime Stone at any time. Inviting tender issue of work order /intent were not his work. He has stated that a copy of the wage sheet are kept in the

office of SAIL and had seen the entire wage sheet. He has also admitted this fact that there is a wage settlement in SAIL which is known as National Joint Committee for Steel Industry (NJCS). He has further stated that Form B was prepared by the contractors and countersigned by the Mines Manager. One copy is kept by the contractor. He had seen those Form B registered before preparing affidavit of about 1500-1600 workers. No worker can work without the permission of Mines Manager. Mining area is prohibited. The identities of the workers were being checked through Attendance Register. Management has filed photocopy of the wage sheet which were with the management. Exhibit M/10 at pages 1 to 62 do not bear any signature. The original wage sheet (Para 13 to 61) do not bear signature of any person. The wage sheet (Para-1 to 12) do not bear the signature of the verifying officer but he has stated in his evidence that in the original wage sheet, the contractor had signed on each and every page and in the last page, the verifying officer had also signed over it, Shri R. Prasad, the then Junior Manager verified on the wage sheet.

44. In case No. R/21/2005, this witness had stated in cross-examination that these contractors were also given contract before 1990 and the workers of the contractors were almost same as on 17-3-1993. He has stated that the contractors and workers worked under the premises of SAIL and materials produced by the contractors were used by the SAIL. About 2200 workers of the contractors were on strike on April-1996. The contractors terminated their services when they did not join duty. He has stated that they had details of number of workers but they had not filed in Court. The management only verified that the contract is implemented or not. He has stated that the SAIL has not filed any petition challenging the notification dated 17-3-1993. It appears that there is nothing in his evidence to show that the contract was sham and bogus. Shri P. S. Nair, Advocate, the Learned Senior Counsel submitted that the documents of Form B was in his possession but intentionally it is withheld and as such adverse inference is to be drawn. Shri R. C. Shrivastava, the learned counsel for the management stated that the burden is on the union to prove the contract as sham and bogus and as such, it is not incumbent upon the management to produce those documents.

45. Another management witness Shri R. K. Jha is also examined in both the reference cases. He was posted at Kuteshwar Lime Stone Mines as AGM (M) w.e.f. January, 1996 till July, 2005 and was looking after the job of Mines Manager. He has stated that the SAIL KTR floated tender notices on different times for the job of raising of approved SMS grade Limestone from Kuteshwar Lime Stone Mines and for transporting the same to the Railway siding at Khana banjari and loading the same into Railway wagons. Eight contractors. Whom he has named were awarded contracts and contract agreements were entered

with these contractors which are marked as Exhibit M/1 to M/8. He has further stated that contractors' workers were never supervised by the employee of the SAIL management. The SAIL management used to discharge a statutory liability as envisaged in the CLRA Act, Mines Act and other labour laws. The managements has taken due care that the labour laws are strictly followed by the contractors and in this regard number of clauses in the contract agreement has been entered into. The SAIL management used to make payment as per terms of the contract. He has further stated that after notification dated 17-3-93 prohibited employment of contract labours, the contractors filed several writ petitions before the Hon'ble Calcutta High Court making SAIL as party and Hon'ble High Court granted stay order restraining the SAIL management from giving effect to the notification. The learned counsel for the management witness has established the stand of the SAIL that the contract is genuine.

46. In reference Case No. R/40/2003, he has been cross-examine at length by the Union. He has stated that he did not execute any agreement prior to 1996. He has stated that the contract labour were abolished w.e.f. 17-3-1993 which came into effect on the same date. There was no stay against the notification for the period 17-3-1993 to 15-4-1994. He has further stated that the materials produced by the contract labours were used by the SAIL and the contractors were given advance payment to the tune of Rs. 25 lakhs. He has also stated that blasting work was carried out by SAIL employees and there was arbitration cases during his tenure.

47. He was also been cross-examined in the Case No. R/21/2005. He has not posted during the period of 1992 to 1996. He does not know that how many tender papers were received by the management. He came to know from contract agreement that the equipments were supplied by the contractors. He has not seen any document that the contractor had engaged any incharge but when he joined, he had seen the representative of the contractors has stated that he had seen wage sheet for the period from 1992 to 1995 and the same was certified by Shri R. Praad, Welfare Officer on behalf of the management. He had also seen Form-B register maintained of the employees of this case. The stay order was produced by contractors in the year 1994. The contractors had labour licence as such they were continuing the work. He has stated that as far as the safety of mines and work is concerned, the management used to give directions. There is nothing in his evidence to impeach the credit of the witness. There is minor contradictions with other witness which is bound to occur. However, the evidence of this witness supports the case of the management.

48. The management witness Shri A.K. Mishra is examined in case No. R/21/05. He was posted at Kuteshwar Lime Stone Mines as Junior Manager during the period from 1983 to 1997. Similarly he has also supported the case

of the management. The contractors had full control over the contract labours and the work. The responsibility of the management was only to ensure that the contracts were working according to the contract agreement and was also to ensure that contractors were complying the various provision of the labour laws and Acts.

49. The management witness Shri Mishra has been cross examined at length by the Union. He has stated that he had seen the agreement and wage sheets of eight contractors. He has stated that inviting tender, scrutiny, execution of agreements, issue of work orders etc. were not done by me. He has supported the fact that from 1992 to 1996 tender agreement was executed in his presence but he was not involved. He has admitted that Form B register was maintained by contractor as well as the management. He was unable to say as to whether the agreement in respect of M/s Singhal was finalized in his presence but he was given contract in the year 1991. He had seen wage sheet of one week of M/s Singhal Enterprises of August, 1994. The said document was signed by the Welfare Officer, representative of the management. He has stated that 500-600 labours were working in Railway siding and 1500-1600 labours were working in the mines. He cannot say that the labour licence was produced by the contractor and the same was of which period. He had not seen the documents to be kept by the principal employer in Form XII under Rule-74. He had seen muster roll and Identity Cards at the officer of the SAIL which were submitted by the contractors. He has stated that the contribution with regard to the P. F. were being deducted by the SAIL and when the contractors deposited the same, the same amount was released to the contractors. He has also stated that the contractors were not paid advance payment only mobilisation payment were being paid. He has stated that there was no stay from 1993 to 1994, till the stay order. This witness appears to have stood the test of cross-examination. He appears to be competent witness as the contract took place in his presence and he was in the mine in the relevant period.

50. The management has also adduced documentary evidence in both the reference cases. Eight contract documents (M/1 to M/8) are filed in Case No. R/40/2003 and the same six contract documents (M/1 to M/6) are also filed in R/21/05. Copy of licence granted to contractors (M/9), copy of wage sheets (M/10), copy of Notification dated 4-7-96 (M-11), copy of the order of the Hon'ble High Court dated 11-4-94 and 15-4-94 (M/12), copy of notices (M/13) issued to contract labours by the contractors, copy of termination letter (M/14), issued by contractors in R/40/2003, Register of wages of M/s Singhal Enterprises (M/7 in R/21/2005) and letter of the contractor to the Sr. Manager, SAIL (M/s in R/21/2005) relating to dismissal/transfer of the contract labours are filed and adduced in evidence.

51. Now let us examine the contract documents filed by the management which are marked as M/1 to M/8 in R/40/03 and M/1 to M/6 in R/21/03. Shri P.S. Nair, the learned

senior counsel for the Union submitted that no original/carbon copy of the documents were produced till the case is closed for arguments. I don't agree with this view of the learned senior counsel for the Union because the order dated 12-8-09 passed in R/21/05 shows that the original contract documents were filed while the evidence of the managements was going on. Another objection raised by Shri Nair, the Learned Senior Counsel that the documents have not been produced in accordance with the evidence Act and contract documents (M/1 to M/6) are photocopy of the agreement executed between the management and the contractors.

52. Shri R. C. Shrivastava, Learned counsel for the management submitted that the Union in its statement of claim filed in reference Case No. R/21/2005 has reproduced the terms and conditions of the contract and has relied on the said terms and conditions whereas during the course of argument, the Union questioned the validity of the contracts saying that the said contracts are not genuine and are sham contracts. Therefore the Union cannot be allowed to take inconsistent pleas and cannot approbate and reprobate the said contract. That on behalf of the management, all the contract documents have been filed and are duly proved. Shri R.C. Shrivastava, the learned Counsel for the management submitted that the Union witnesses have also not taken a definite stand with regard to their appointment. The Union's witnesses sometimes stated that they were appointed by SAIL management and sometimes say that they are the employers of the contractors. It is submitted that the Union cannot be permitted to take inconsistent plea. The management has placed reliance on a judgment reported in JT 2006 (12) S.C. 294 Steel Authority of India Ltd. Versus Union of India and others where the Hon'ble Apex Court has held that —

“The workman whether before the Labour Court or in writ proceedings were represented by the same Union. A trade union registered under the Grade Unions Act is entitled to espouse the cause of the workmen. A definite stand was taken by the employees that they had been working under the contractors. It would thus, in our opinion not lie in their mouth to take a contradictory and inconsistent plea that they were also the workmen of the principal employer. To raise such a mutually destructive plea is impermissible in law. Such mutually destructive plea, in our opinion, should not be allowed to be raised even in an industrial adjudication. Common law principles of estoppel, waiver and acquiescence are applicable in an industrial adjudication.”

I find force in the argument of Shri R. C. Shrivastava, the learned counsel for the management. I find that there is inconsistent plea of the Union and common law principles of estoppel, waiver and acquiescence are applicable in the case.

53. However, Shri Nair, the learned senior counsel for the union submitted that the workers were under the contract of the SAIL management and the workers

remained the same although the contractors were changing from one to another. The terms and conditions of contract referred by the Union are reproduced below:—

“The contractors is prohibited from bringing any labour force from outside. He should engage the same labour force already working in the mines and whose names are entered in Form-B relating to contract labour, the Mines Act.”

Terms and conditions of contract [clause 6.8(2)]—

“The Engineer/Mines Manager shall be at liberty to object to and require the contractor to remove forthwith the works any person employed by the contractor in or about the execution or maintenance of the works who in the opinion of the Engineer/Mines Manager misconducts himself or is incompetent or negligent in the proper performance of his duties of whose employment is otherwise considered by the Engineer/Mines Manager to be undesirable and such person shall not be given employment upon the works without the written permission of the Engineer/Mines Manager.”

54. The management has referred the terms and conditions of the contract to establish the fact that the contract is genuine. The management referred the relevant portion of terms and conditions which are reproduced below—

#### “General conditions of contract—

Clause 4 provides the extent, scope and period of contract. It provides in detail how the work is to be executed by the contractor and further provides that the contractor has to make his arrangement at his own cost for lighting, ladders, tools, buckets, spades etc., trucks, dumpers labours, and all other equipments, power, water which may be required to carry out the work.

Clause 6.4 provides for security deposits which is kept for due and faithful performance of the contract.

Clause 6.8 provides for the employment of labour by the contractor.

Clause 7 provides that the contractor will be responsible for compliance for statutory rules and regulations for payment of wages etc., for the labours employed by him.

Clause 7.3.1 provides for minimum wages by the contractor to his labours.

Clause 7.3.2 provides the amenities to be provided by the contractors to this labours.

Clause 9.3.1 provides for levy of demurrage in case of delay in loading the wagons.

Clause 10 provides for the measurement of the quantity of limestone executed by the contractor.

Clause 11 provides for the terms of payment

Clause 12 provides for remedies and powers and the right of SAIL to terminate the contract in case of failure of the

contractor to perform in accordance to the terms and conditions of the contract.

Clause 15 provides for settlement of disputes and appointment of arbitrator.

#### Special conditions of Contract-

Clause 1 to 6 provides the object of the contract and the location and nature of deposit.

Clause 17 & 21 provides for all tools and tackles were to be arranged by the contractor for proper execution of work.

Clause 25VII provides for different forms/registers to be maintained by the contractor.

Clause 29 provides for payment of all statutory dues like wages, provident fund etc. to his labours."

On the submission of both the parties, it is clear that the agreement of contract is to be seen as a whole and it will not be seen in piece meal. I do not find any defect on the contract agreement and some riders are there. It appears that somewhere supervision power is given to the Mines Manager only to ensure the safety and to know that the provisions of Labour laws are being implemented. It also appears that the Mines Manager had also right to ensure that the agreement of contract is being properly implemented. It is evident that the agreement of contract is not sham and bogus rather the contractors had full controls over the contract labours and work. He had power of payment of wages to the contract labours and also disciplinary powers.

55. Shri P.S. Nair, Senior Counsel for the union had referred Exhibit M/1 clause at Page 17, Para 32 of the contract agreement whereby there was a clause to retain as far as possible old employees. It is submitted that it amounts to control on engagement of workers by the management. The management submitted that the same is being done with an interest to protect the source of livelihood of the contract labours. The management has relied a judgement reported in (1994) 5 SCC 304 R.K. Panda versus SAIL and others wherein the Hon'ble Supreme Court has held that:—

"It is true that with the passage of time and purely with a view to safeguards the interests of workers, many principal employers while renewing the contracts have been insisting that the contractor or the new contractor retains the old employees. In fact such a condition is incorporated in the contract itself. However, such a clause in the contract which is benevolently inserted in the contract to protect the continuance of the source of livelihood of the contract labour cannot by itself give rise to a right to regularization in the employment of the principal employer."

Thus it is clear that it cannot be said that the contract labours were employees of the SAIL and the contract was sham and bogus.

56. Shri P.S. Nair learned senior counsel for the Union referred wage sheets maintained by M/s. Singhal Enterprises which is marked as Exhibit M/7. It is for the period from 9-1-94 to 22-1-94 in respect of 253 workers. It is submitted that there is no signature of either the contractor or the representative of the principal employer. The signature on the back of the last page is not proved by the management witness. It is submitted that admittedly there is no certification by the Principal Employer. It is further submitted that the sheets of register of wages, which is so called maintained by I.S.S. Company for about 120 workers, have neither been proved nor admitted by the Union.

57. Shri R. C. Shrivastava, learned counsel for the management submitted that it is incorrect to say that there is no signature of the contractors or his representative. It is clear from perusal of the wage sheets that the representative of the contractor had done initials with seal on each and every sheet. It also appears from perusal of the original that the representative of the management had certified with seal but it was erased. The wage sheets maintained by I.S.S. Company had also been initialed on each and every page by the representative of the I.S.S. Company and signed on the back of last page. It is submitted that the representative of the management had certified on the back of last page. It is further submitted that in cross examination, the management witnesses have supported that Shri R. Prasad had certified on behalf of the management.

58. It is clear that the wage sheets were duly signed and certified. Moreover the Union has himself filed photocopies of the wage slips of contract labours which appeared to be the basis of the wage sheets. All the photocopies of the wage slips filed by the Union in the case appear to have been issued by the respective contractors. This itself establishes that the payment was being made to the contract labours by the respective contractors and not by the principal employer.

59. The union raised a point that photocopies of so called licence issued by the licensing authority are filed which is marked as Exhibit M/9 in case No. R/21/2005. It is submitted that the management failed to prove those documents by adducing evidence and neither certified copy nor carbon copy nor the originals were filed before the Tribunal. It is submitted that renewal of the licence in some cases were done with delay and the management has stated that the work was being continued without any break. Meaning thereby the contractors were permitted to work without there being valid licence. It is also submitted that no licence have been filed for the contractor M/s. Krishna Mehrotra. The management had simply filed letters dated 10-3-92 and 17-4-94 in connection with the licence of the said contractor. Those letters cannot be treated as licence issued by the licensing authority.

60. The Union submitted that Sec-7 and 9 of the CLRA Act require registration of employer and effect of



non-registration. In this case no certificate of registration has been filed or proved by the management. There is no contract without certificate. The Union has placed reliance in the case of Haryana State Electricity Board versus Suresh and others reported in 1993 (3) SCC 601 wherein the Hon'ble Apex Court has held as follows:—

“It is also pertinent to note that nothing was brought on record to indicate that even the Board at the relevant time was registered as the principal employer under the Contract Labour Regulation and Abolition Act. Once the Board was not a principal employer and the so-called contractor Kashmir Singh was not a licensed contractor under the Act, the inevitable conclusion that had to be reached was to the effect that the so-called contractor system was a mere camouflage, smoke and a screen and disguised in almost a transparent veil which could easily be pierced and the real contractual relationship between the Board, in the one hand, and the employees on the other could be clearly visualized.”

It is submitted that there is no compliance with legal requirement. On this ground also, the contract is sham and bogus.

61. The learned counsel for the management submitted that Rule-29 (2&3) of CLRA Rules, 1971 provides that if the date of renewal expires and application is made, the licence shall be deemed to have been renewed until such date but even if it is true that there is violation of provision of law, this may amount to violation of law which may attract penal consequences but will neither confer any legal right on the contract labour for absorption any status higher than which they held. The management has placed reliance in Deva Nath and others National Fertilizers Ltd. Reported in (1992) 1 SCC 695 and the same is approved by the Constitution Bench in Para 96 of SAIL and others Versus National Union Water Front Workers and others reported in (2001) 7-SCC-1. The Para 96 is reproduced below—

“In Deva Nath case, a two Judges Bench of this court considered the question, whether as a consequence of non-compliance with Sections 7 and 12 of the CLRA Act by the Principal employer and the licensee respectively the contract labour employed by the principal employer would become the employees of the principal employer. Having noticed the observation of the three-Judges Bench of this Court in Standard Vacuum case and having pointed out that guidelines enumerated in sub-section (2) of section 10 of the Act are practically based on the guidelines given by the Tribunal in the said case, it was held that the only consequence was the penal provisions under sections 23 and 25 as envisaged under the CLRA Act and that merely because the contractor or the employer had violated any provision of the Act or the Rules, the High Court in

proceedings under Article 226 of the Constitution couldn't issue any mandamus for deeming the contract labour as having become the employees of the principal employer. This Court thus resolved the conflict of opinions on the said question among various High Courts. It was further held that neither the Act nor the Rules framed by the Central Government or any appropriate Government provided that upon abolition of the contract labour, the labourers would be directly absorbed by the principal employer.”

Thus it is clear from the above submission that the contract will not be treated as sham and bogus and the contract labour will have not to be treated as employees of the SAIL and only consequence was the penal provisions under Sections 23 to 25 of the CLRA Act.

62. It is urged on behalf of the union that Exhibit M/13 are so-called photocopies of notices issued by the contractors to the contract labours. The management witnesses have stated that they have knowledge about the mode of services of these notices on the workers. Exhibit M/14 are the photocopies of alleged termination orders issued by the contractors. It is submitted that the signatures on those documents were not proved and the management witnesses was unable to say the mode of service of those orders on the workers. Therefore no cognizance can be taken on the documentary evidence led by management. The management submitted that when the workers of the contractors went on strike, the services of the contract labours were terminated by the contractors. The management witnesses Mr. Dhali DGM (Personnel) in his evidence at para-16 of R/40/2003 has stated that when the contract labours of the contractors went on illegal strikes for which the contractors issued several notices to the labours to join their duties within 7 days failing which it will be presumed that they are not interested to work and their names will be struck off from the rolls of the company. Initially the contract labours joined their duties but after working for about one and half months, most of the contract labours went on illegal strike and did not resume their duties and the contractors to that effected terminated their services and issued termination letters. The copies of the notices and termination letters were exhibited with the affidavit of Mr. Dhali which are marked as Exhibit M/13 and M/14. It also appears from the record that there is a specific case of the management that contractors terminated the service of the contract labours on their illegal strike. The witnesses of the union have not specifically denied that no notice was received and no termination letters were issued by the respective contractors rather they have stated that the principal employer had not terminated them from the service. Since there is no specific denial, I find that no prejudiced is caused to them.



63. Management has also filed photocopy of letter addressed to the Senior Manager Mines, Kuteshwar, SAIL whereby it is informed that four workers were transferred and a worker was dismissed by the Contractor. This is filed to show that the contractors had disciplinary powers against the contract labours. The management has also filed photocopies of the Hon'ble Calcutta High Court orders which are marked as Exhibit M/9 in Case No. R/21/2005 and order dated 15-4-94 and 11-4-94 marked as Exhibit 12 in Case No. R/40/03. These orders are filed to show that the operation of the notification dated 17-3-1993 was stayed in 1994 by the Hon'ble Calcutta High Court.

64. It is pertinent to note that the contract agreements entered between the SAIL and the contractors before the notification dated 17-3-1993 prohibited engagement of contract labours in specified works. M/s. Singhal Enterprises entered into agreement on 18-7-91 for three years and contract was extended for two years from 16-5-94. M/s. EMTA was semi-mechanized contractors who entered into agreement on 6-4-1992 for four years. M/s. Power United entered into agreement on 29-7-1991 for three years and the contract agreement was extended for two years from 16-5-94. M/s. I.S.S. Construction Company entered into agreement on 18-7-91 for three years and contract agreement was extended on 16-5-94 for two years. M/s. S.K. Mehrotra entered into agreement on 29-7-91 for three years and contract agreement was extended on 16-5-94 for two years. M/s. R. H. Reddy was also semi-mechanized contractor who entered into agreement on 10-4-90 for four years. Thereafter the contractor entered into supplementary contract agreement on 1-2-94 for three years. M/s. M. C.C. entered into a contract on 7-12-83. Thus all the agreements between the management and the contractors entered into prior to the notification dated 17-3-1993 prohibiting employment of contract labour and subsequently it was only extended. This shows that there was no fresh contract thereafter and there was no notification to restrict the contract of the contractors.

65. It is not out of place to mention that Shri P.S. Nair, Learned Senior Counsel for the Union has stated that vide order dated 24-10-2005 passed in case No. R/40/03 this Tribunal directed the Union to adduce evidence by way of affidavits. The union filed affidavit of the workers by way of evidence. Therefore their Advocates drafted affidavits as per instructions given by the workers. The Union then filed an application in Case No. R/21/2005 praying therein that the Union be permitted to examine the workers orally instead of filing affidavits of the workers on the ground that the workers are extremely poor physically handicapped, illiterate, Advisees and Harijans and recording their evidence by affidavit may not be appropriate. However the management opposed the prayer made by the Union. Hence this Tribunal vide order dated 31-10-2007 passed in Case No. R/21/2005 dismissed the application. The learned senior counsel for the Union has placed reliance on

judgement of the Hon'ble Supreme Court reported in 1984 (3) SCC 161 wherein the Apex Court has held as follows:—

“Now it is obvious that the poor and is advantaged cannot possibly produce relevant materials before the court in support of their case and equally where an action is brought on their behalf by a citizen acting pro bono public, it would be almost impossible for him to gather the relevant material and place it before the Court.”

66. It is clear that the Learned Senior Counsel for the Union has not placed the entire facts. The Union preferred writ appeal No.34/2008 before the Hon'ble High Court of M.P., Jabalpur where the Hon'ble Court passed an order dated 4-3-08. It was held as follows:—

“We accordingly set aside the order of the Tribunal and direct the Tribunal to record the oral evidence of those witnesses produced before him who are illiterate and are unable to understand the facts stated in the affidavit. This appeal is allowed. No. Cost.”

It is evident that opportunity was given to the Union to adduce oral evidence but from the order dated 8-12-08 passed in R/21/2005, it appears that till date no witness was produced by the union for evidence. Thereafter the matter was pending for examination of witnesses on commission. The Union, thereafter, filed Review Petition No. 313 of 2009 before the Hon'ble High Court of M.P. Jabalpur whereby the Hon'ble Court passed an order dated 17-2-2009 as follows:—

“Mr. Nair submitted that the applicant has already examined all the witnesses in reference No. 40/2003 and has also examined as many as 74 witnesses in Reference No.21/2005. He submitted that if large number of witnesses as per the list furnished by the petitioner before the Tribunal are examined in Reference No. 21/2005, there may be a delay of one more year in disposal of the case by the Tribunals as stated by Mr. Dharmendra Sharma, learned ASG, on instructions from the Tribunal. Mr. Nair submitted that in the circumstances the applicant doesn't want to examine any further witness in Reference No. 21/2005 and that the evidence on behalf of the applicant may be treated as closed.

Mr. R.P. Agrawal learned Senior Counsel with Mr. R.C. Shrivastava, Advocate, submitted that four witnesses are proposed to be examined on behalf of the respondents before the Tribunal in Reference No 21/2005. These four witnesses may be examined before the Tribunal on behalf of the respondent within a month and the aforesaid two References will be answered by the Tribunal within two months from today.”

67. Thus it is clear that Mr. Nair the senior counsel for the Union has himself conceded that he does not want

to examine any further witness in Reference Case. No. R/ 21/2005 and the evidence is closed. Thus it is clear that the opportunity was given about one and half year to the Union to examine the witness but has not examined a single witness thereafter and on his request, the evidence of the union is closed.

68. Shri Nair, the Learned Senior Counsel for the Union submitted that the test of relationship between the employer and employee is laid down in the leading case of *Hussian Bhai Versus Alst Factory* reported in 1978 S.C. 1410 which is holding the court for the last 31 years. The Hon'ble Supreme Court has held as follows:—

“The true test may with brevity be indicated once again. Where a worker or group of workers labours to produce goods or services and these goods or services are for the business of another, that other is infact, the employer. He has economic control over the worker's subsistence, skill, and continued employment. If he, for any reason, chokes off, the worker is virtually, laid off. The presence of intermediate contractors with whom alone the workers have immediate or direct relationship ex-contract is of no consequence when, on lifting the veil or looking at the conseqectus of factors governing employment we discern the naked truth, though draped in different perfect paper arrangement, that the real employer is the Management not the immediate contractor. Myriad devices, half-hidden in fold after fold of legal from depending on the degree of concealment needed, the type of industry, the local conditions and the like, may be resorted to when labour legislation casts welfare obligations on the real employers, based on Arts. 38,39,42,43, and 43-A of the Constitution. The court must be astute to avoid the mischief and achieve the purpose of the law and note misled by the maya of legal appearances.”

“If the livelihood of the workmen substantially depends on labour rendered to produce goods and services for the benefit and satisfaction of an enterprise, the absence of direct relationship or the presence of dubious intermediaries or the make-believe trappings of detachment from the Management cannot snap the real-life bond. The story may vary but the inference defies ingenuity. The liability cannot be shaken off.”

69. It is also submitted that the above referred case has been followed amongst others in the following cases:—

2009 AIR SCW 317, AIR 1995 S.C. 1666, AIR 1995 S.C. 1893, AIR 1999 S.C. 1160, AIR 2000 S.C. 1518 AIR 2001 S.C. 3348, AIR 2001 S.C. 3527, AIR 2003 S.C. 3024, AIR 2004 S.C. 969, AIR 2004 S.C. 1639 and AIR 2006 S.C. 845.

70. Shri R. C. Shrivastava, the learned counsel for the management submitted that there is no hard and fast rule to determined the relationship of the employer and employee and also there is no single test for determining the relationship. The learned counsel has placed reliance

of the judgment of the Hon'ble Supreme Court reported in 2004 (101( FLR) 137 *Workmen of Nilgiri Cooperative Marketing Society Ltd. Versus State of Tamil Nadu & others*. The Hon'ble Apex Court has held that—

“Determination of the vexed questions as to whether a contract is a contract of service or contract for service and whether the concerned employees are employees of the contractors has never been an easy task. No decision of this Court has laid down any hard and fast rule nor it is possible to do so. The question in each case has to be answered having regard to the fact involved therein. No single test be it controlled test, be it organization or any other test has been held to be the determinative factor for determining the jural relationship of employer and employees.”

“The control test and the organization test, therefore, are not the only factors which can be said to decisive. With a view of elicit the answer, the court is required to consider several factors which would have a bearing on the result (a) who is appointing authority; (b) who is the pay master, (c) who can dismiss, (d) how long alternative service lasts; (e) the extent of control and supervision; (f) the nature of the job, e.g whether, it is professional or skilled work; (g) nature of establishment; (h) the right to reject.”

71. Now let us sum up the evidence of both the parties in the light of above tests—

- (1) The evidence shows that the respective contractors employed the contract labours for their own and they were the appointing authority.
- (2) Wage slips, wagesheets and the evidence of the witnesses clearly show that the contractors were paying wages to the contract labours.
- (3) Exhibit M/8 filed in R/21/05 and the evidence of the witnesses show that the contractor dismissed the employee and also transferred some of the employees from the place of work and had disciplinary authority.
- (4) The contract papers entered into between the management and the contractors and the evidence of the witnesses clearly show that contractors had full control and supervision over the work. The management had only to see that the labour laws were being implemented and specified approved grade of lime stone was being supplied.
- (5) The contract papers and the evidence show that the contractors had full control over the skilled and professional work.
- (6) It is further clear from the contract papers that the SAIL had right to reject the limestone, if it

was not within the specified approved grade as per terms and conditions of the agreement.

- (7) The contract agreements further show that there was penal clause, if there was any breach of contract.

Thus I find on the basis of the entire evidence either oral or documentary adduced in both the reference cases that the contract between the Management (SAIL) and the contractors was genuine and not sham and bogus.

72. Now the question arises is as to whether the contract, which existed prior to Notification No. S.O. 707 dated 17-3-1993 prohibiting contract labours in specified work through contractors, remained same or changed after notification.

73. Shri P.S. Nair, Senior Counsel for the Union submitted that Union of India in exercise of powers under Section 10 of the CLRA Act prohibited the employment of contract labours by Notification dated 17-3-1993. The learned Senior Counsel has placed reliance in the case of Air India Statutory Corporation versus United Labour Union reported in 1997 (9) SCC 377 wherein the Hon'ble Apex Court has finally held as follows—

“I, therefore, respectfully concur with the view taken by Brother Ramaswamy, J on the scope and ambit of Section 10 of the Act and hold that on abolition of contract labour system from any establishment under Section 10 of the Act by the appropriate Government the logical and legitimate consequences thereof will be that the erstwhile regulated contract labour covered the sweep of such abolition for the activities concerned would be entitled to be treated as direct employees of the employer on whose establishment they were earlier working and they would be entitled to be treated as regular employees at least from the day on which the contract labour system in the establishment for the work which they were doing gets abolished.”

The learned Senior counsel has further placed reliance regarding the effect of notification dated 17-3-1993 and referred the following cases—

- (1) 1990 (1) LLN 656 United Labour Union & others versus UOI & others.
- (2) 1993 LIC 1277 Air India versus United Labour Union.
- (3) 1990 (suppl.) S.C.C. 668, Shanker Mukherjee versus UOI.
- (4) 1993 (3) SCC 601, Haryana State Electricity Board versus Suresh.

74. It is submitted that the employees mentioned in the reference worked regularly from 17-3-1993 to April 1993 but thereafter they were prevented from entering at the workplace. The Union challenged the termination of service by SAIL by filing W. P. No. 921/1997. The Hon'ble High Court of MP passed order dated 23-10-1997 which was

challenged by the SAIL by filing LPA No. 632/1997. The said LPA was transferred to the Apex Court on application of SAIL. The Hon'ble Supreme Court decided the case on 30-8-01 in the case of SAIL versus National Union Water Front workers reported in 2001 (7) SCC 1. The Apex Court transferred back the LPA 326/1997 to the Hon'ble High Court to be decided in the light of main judgment which was decided by order dated 16-7-2002.

75. Shri R.C. Shrivastava, Learned Counsel for the SAIL submitted that the reliance placed by the Union in Air India's Case (Supra) is not tenable as the Air India case has been over ruled in the judgment given by the Apex Court in SAIL versus National Water Front Workers Union's case (Supra).

76. Now the question is as to whether the prohibitory notification dated 17-3-1993 is enforced from the date of publication or not. To determine this point, the factual aspects are to be considered first which are either admitted or proved by evidence on record.

1. It is admitted that notification dated 17-3-1993 was published in the Official Gazette on 3-4-1993.
2. There was no stay order against the notification for the period from 17-3-1993 to 15-4-1994.
3. The workers which were working prior to the date of notification were also continuing their work till April, 1996.
4. The evidence further establishes that the wages were being paid to worker till April 1996 by the so called contractors.
5. The management has a copy of Form-B register of the workers who worked till April, 1996.
6. The contracts of the contractors were with respect of the jobs in the lime stone and dolomite mines at Kuteshwar for which prohibited notification dated 17-3-1993 was issued but even then contract labours were engaged continuously by the said contractors.

Thus from the enumerated established facts, it is clear that there was no impediment on the notification dated 17-3-1993 prohibiting the employment of contract labours on specified works in-line stone and dolomite mines.

77. The another objection raised by the management is that the notification was stayed by the Hon'ble Calcutta High Court and is no more applicable in the case. The Hon'ble High Court of MP at Jabalpur appears to have dealt the above point in LPA 326/97 at para. -22. The extract of which are reproduced below:-

“If the aforesaid paragraph is understood in the tenor, it is couched. It becomes unequivocally clear that a contract labour working in the

establishment concerned at the time of issue of notification will cease to function and the contract between the principal employer and the contractor in regard to the contract labour snapped. It becomes extinct. As a logical corollary as has been put forth by their Lordships no contract labour can be employed by the principal employer in any process or operation or other work in the establishment to which the notification relates. We are not concerned what is the relationship between the contractor and the contract labour. That has been dealt with in separate sub-paragraphs, namely, sub paragraphs 4, 5, and 6. In the present case the notification was issued on 17-3-1993 and was published in the official gazette on 3-4-1993. This court gave the stamp of approval to the notification on 16-12-1993. Mr. Shrivastava, learned senior counsel has submitted that the High Court of Calcutta by order dated 14-1-1994 restrained the management to give effect to the notification and then passed an order not to give further effect to the same. Mr. Nair as well as Mr. Jain reiterated the argument which was canvassed before the learned single Judge with regard to the territorial jurisdiction of the Calcutta High Court. We are not inclined to address ourselves in that regard. We are only inclined to state that by the time, the Calcutta High Court passed the order on 16-1-1994 the notification had already taken effect. It was not as order of stay which could be passed as it nothing had worked out Mr. Shrivastava, pyramided his submission by putting it with vehemence that the court directed the management not to give further effect and thus the management had no option. In our considered view, the said order of stay does not render much assistance to the management, appellant in as much as the notification had come into existence on 3-4-1993 and any interaduction or injunction that followed from the court in the mid of January 1994, almost after expiry of 10 months. What remains to be seen if the labours who worked under the contractors by virtue of the contract been the principal employer and the contractor were allowed to work after the notification, and whether entitled in law to be allowed to work by the principal employer. We will be failing in our duty if we do not notice a submission of Mr. Shrivastava that clause (1) of paragraph 68 has been held by the Apex Court deals with abolition of the system. We have read with thoughtful anxiety and consideration the said paragraph to appreciate the submission of learned senior counsel. In our humble view sub-clause (1) deals with contract labour which is a person as per the definition under 2(1) (b) of the Act. We

say so as we are of the opinion that clause (1) to (3) are to be read in conjunction and not in isolation or separation. In view of the aforesaid a different scenario emerges in the instant case. We may not be understood to have said that the person who were working as contract labours worked for the period that they have claimed but there is pleading in that regard in the writ petition and what has been stated in oppugnation done not totally spurn that no one was engaged. What has been stated that the payments have been made up to 1996. On what foundation or on what basis, the payments had been made to the persons who worked in the establishment requires to be enquired into. We cannot acceded to the ab-initio prayer made by Mr. Nair and Mr. Jain that as there has been no denial in the counter affidavit in the proper manner and therefore, this Court should issue a mandamus. In our considered view, this has to be adjudicated by the appropriate forum."

78. Shri Shrivastava further argued that the Civil Appeal No. 9656 of 2003 was filed before the Apex Court against the judgment passed in LPA-326/97 dated 16-7-2002 in which some observations were made in Para 23 and 24, but these were only observation and no relief was granted and to the contract labours based on the observations. The Union challenged this judgment before the Hon'ble Supreme Court in the Special Leave Petition, in which leave was granted and the order for making reference was made. In law, therefore, the judgment of the Hon'ble High Court dated 16-07-2002 merged in the order of the Apex Court dated 8-12-2005 and it is this last order of the Highest court between the parties which shall prevail. The said order of the Apex Court is reproduced below :—

"One of the question for decision is whether or not the employment through contract labour is sham and bogus. These are questions which will require adjudication before an appropriate forum. The Writ court may not be the appropriate forums to decide this question. We therefore, direct the appropriate Government to refer this question to Industrial Tribunal who will decide whether or not the alleged employment through contractor is sham and bogus and whether in effect is direct employment by the company.

We clarify that we have not expressed any opinion on merits either way. Undoubtedly, it will be open to both the parties to raise all contentions available to them before the Industrial Tribunal.

The appeal stands disposed off accordingly. There will be no order as to costs."

79. Shri Nair submitted that the validity of the Notification was challenged before the Hon'ble High Court of MP by filing W.P. No. 4268/1993 wherein a division Bench vide order dated 16-12-1993 upheld the validity of the Notification.

80. It is apparent that the notification was come into force and there was no impediment at the relevant time by any order of stay by any Court.

81. Another question arises for decision in the case is as to whether or not by enforcement of the Notification dated 17-3-1993 the alleged employment of the workers through contractors is subsequently sham and bogus.

82. Mr. Nair argued that in view of the Notification dated 17-3-1993 prohibiting the specified work in the lime stone mines and in view of the judgement of the Hon'ble Apex Court in the case of Water Front Case (Supra), the contract comes to an end and contract ceases to exist. The Union referred to para-68 of the aforesaid judgment. It is submitted that as SAIL management continued to employ the contract labours during the period from 1993 to 1996, the contract has become sham and camouflaged.

83. Shri Shrivastava submitted that the said notification is stayed by the Hon'ble Calcutta High Court by which SAIL and the Union of India has been restrained to give any effect to the said notification dated 17-3-93 and further the Labour licence was continued to be granted by the appropriate authority from time to time by which the contract continued. The said contract was entered into as per law and according to the said terms of the contract, contractor used to produce the specified goods and the management used to pay the contractors for the goods produced as per the terms and conditions of the contract. It is further submitted that even if it is assumed that the facts are so, the situation does not confer any right to relief of status on the contract labours. At best, this may amount to violation of law which may attract penal consequences. The management has placed reliance on Dina Nath Case (Supra).

84. Before discussing the point, it is better to reproduce the judgment of Para 68 of the SAIL versus National Water Fronts Workers & Others (Supra)—

“We have extracted above Section 10 of the CLRA Act which empowers the appropriate Government to prohibit employment of contract labour in any process, operation or other work in any establishment, lays down the procedure and specified the relevant factors which shall be taken into consideration for issuing notification under sub-section (1) of Section 10. It is a common ground that the consequence of prohibition notification under Section 10 (1) of the CLRA Act, prohibiting employment of contract labour, is neither spelt out in Section 10 nor indicated anywhere in the Act. In our view, the following consequences follow on issuing a notification under Section 10(1) of the CLRA Act:

(1) Contract labour working in the establishment concerned at the time of issue of notification will cease to function;

(2) The contract of principal employer with the contractor in regard to the contract labour comes to an end;

(3) No contract labour can be employed by the Principal Employer in any process, operation or other work in the establishment to which the notification relates at any time thereafter;

(4) The contract labour is not rendered unemployed as is generally assumed but continues in the employment of the contractor as the notification does not sever the relationship of master and servant between the contractor and the contract labour;

(5) The contractor can utilize the services of the contract labour in any other establishment in respect of which no notification under Section 10 (1) has been issued where all the benefits under the CLRA Act which were being enjoyed by it, will be available;

(6) If a contractor intends to retrench his contract labour, he can do so only in conformity with the provisions of the I.D. Act.

The point now under consideration is: whether automatic absorption of contract labour working in an establishment, is implied in Section 10 of the CLRA Act and follows as a consequence on issuance of the prohibition notification thereunder. We shall revert to this aspect shortly.”

85. It is an established fact that the notification dated 17-3-93 came to the effect prohibiting the employment of contract labours from the date of its publication. As such, in the light of the constitutional bench judgment in SAIL versus National Water Front Workers Union & others (Supra) the contract of Principal employer with contractor in regard to the contract labour comes to an end beyond shadow of doubts and the contract with regard to the contract labour subsequently after the notification dated 17-3-1993 becomes not genuine. The Principal employer was prohibited to employ any contract labour in any process, operation or other work in the establishment to which the notification relates at any time thereafter. It is evident that when the contract of the contractors after notification became itself void and not genuine, the extension of the period of contract of the respective contractors would be ab-initio void and sham and bogus. Thus it is established that the contract of Principal employer with contractors in regard to the contract labours became subsequently sham and bogus after the notification No. S. O. 707 dated 17-3-1993 coming into the effect from the date of its publication.

86. Now the another very important question is as to whether in effect there is direct employment of the

contract labours by the company (SAIL) and if so, what relief the workman concerned are entitled.

87. It is clear from the aforesaid question that it is necessary to decide the status of the contract labours after the notification dated 17-3-1993 became effective. Before deciding the point, it appears to be extremely necessary to reproduce the para 125 Sub-paras 2 (1), (b), 3 to 6 of the constitutional bench judgment passed in National Union Water Front Workers (supra):—

“(2)(a) A notification under Section 10 (1) of the CLRA Act prohibiting employment of contract labour in any process, operation or other work in any establishment has to be issued by the appropriate Government:

(1) After consulting with the Central Advisory Board or the State Advisory Board, as the case may be and

(2) Having regard to

(i) Conditions of work and benefits provided for the contract labour in the establishment in question, and

(ii) Other relevant factors including those mentioned in sub-section (2) of Section 10;

(2)(b) Inasmuch as the impugned notification issued by the Central Government on 9-12-1976 does not satisfy the aforesaid requirements of Section 10, it is quashed but we do so prospectively i.e. from the date of this judgment and subject to the clarification that on the basis of this judgment no order passed or no action taken giving effect to the said notification on or before the date of this judgment, shall be called in question in any tribunal or court including a High Court if it has otherwise attained finality and/or it has been implemented.

(3) Neither Section 10 of the CLRA Act nor any other provision in the Act, whether expressly or by necessary implication, provides for automatic absorption of contract labour on issuing a notification by the appropriate Government under sub-section (1) of section 10, prohibiting the employment of contract labour, in any process, operation or other work in any establishment. Consequently the principal employer cannot be required to order absorption of the contract labour working in the establishment concerned.

(4) We overrule the judgment of this Court in Air India case prospectively and declare that any direction issued by any industrial adjudicator/any court including the High Court, for absorption of contract labour following the judgment in Air India case shall hold good and that the same shall not be set aside, altered or modified on the basis of this

judgment in cases where such a direction has been given effect to and it has become final.

(5) On issuance of prohibition notification under Section 10(1) of the CLRA Act prohibiting employment of contract labour or otherwise, in an industrial dispute brought before it by any contract labour in regard to conditions of service, the industrial adjudicator will have to consider the question whether the contractor has been interposed either on the ground of having undertaken to produce any given result for the establishment or for supply of contract labour for work of the establishment under a genuine contract or is a mere ruse/camouflage to evade compliance with various thereunder. If the contract is found to be not genuine but a mere camouflage, the so-called contract labour will have to be treated as employees of the principal employer who shall be directed to regularize the services of the contract labour in the establishment concerned subject to the conditions as may be specified by it for that purpose in the light of para 6 hereunder.

(6) If the contract is found to be genuine and prohibition notification under Section 10 (1) of the CLRA Act in respect of the establishment concerned has been issued by the appropriate Government, prohibiting employment of contract labour in any process, operation or other work of any establishment and where in such process, operation or other work of the establishment the principal employer intends to employ regular workmen, he shall give preference to the erstwhile contract labour, if otherwise found suitable and, if necessary, by relaxing the condition as to maximum age appropriately, taking into consideration the age of the workers at the time of their initial employment by the contractor and also relaxing the condition as to academic qualifications other than technical qualifications.”

To determine the status of the workers after Notification dated 17-3-1993, it is necessary to recapitulate the established and proved facts—

1. The contract labour after notification cease to function.
2. The contract labours were still working in the establishment from 1993 to April 1996 under the umbrella of the contractors who may be called as agent of the Principal employer or were intermediary between the contract labours and the Principal Employer after the publication of notification.
3. The contract between the Principal Employer and the contractors after publication of the notification ceases to exist and became not genuine.
4. The wages were being paid to the contract labour by the so-called contractors in the same way as from before.

5. The principal Employer was in need of the workers for the specified works even after the publication of the notification as same workers were continuing in work till April, 1996.

6. There is no evidence on the record to show that the principal employer adopted the procedure of regularization and had intended to employ regular workers as has been directed by the Hon'ble Apex Court at Para 125 sub-para-6 in the Constitution Bench Judgment in the case of SAIL versus National Union Water Front Workers (Supra) after the contract was found genuine before the notification.

7. There was no automatic absorption of contract labour on issuing the notification prohibiting the employment of contract labours.

8. Contract labours were found employees of the respective contractors before notification.

88. Shri Nair urged that the workers will be deemed employee of the Principal Employer stood implemented by very act of SAIL in keeping them in service in the same place which was prohibited in the same place from 17-3-1993 to April, 1996 which shows the order of the Hon'ble Supreme Court is fully implemented. It is further submitted that overruling of AIR India Statutory case will, therefore, have no effect in the present case and the judgement of the Hon'ble Supreme Court in the case of AIR India Statutory Authority 1997 (7) SCC 377 and Secretary HSEB versus Suresh 1999 (3) SCC 601 will be only applicable. It is submitted that para 125, sub para 4 of National Union Water Front Workers case (Supra) states that the Apex Court over ruled the judgment of AIR India statutory case prospectively and any direction issued by any industrial adjudicator/any court for absorption of contract labour following the judgment in AIR India case shall hold good and that the same shall not be set aside, if effect is given and it has become final.

89. Shri Shrivastava submitted that the AIR India judgment has already been reversed by the National Union Water Front Workers judgment and the Union has no basis. It is submitted that the single bench judgment in W.P. (C) 921/97 has been quashed by the Division Bench in LPA 326/97 after remand by the Hon'ble Supreme Court and the said judgment of Single Bench was never coming into effect and had not reached the finality. It is also submitted that there is no automatic absorption of contract labours and therefore continuation of employment of the workers in the establishment through contractors after notification would not amount to automatic regularization in the service.

90. Now for coming to the conclusion of the status of the workers who were continuing in the service after notification, it is necessary to peruse the law laid down in

National Union Water Front Workers Case (Supra). It appears that sub para 1 to 6 of para 68 of the Front Workers Case is to be taken together and not one by one or separately. It is clear that the contract labour working in the establishment concerned ceased to function on publication of the notification prohibiting employment in the specified work. Meaning thereby the status of the employer was not changed. Sub-para-4 further shows that the status of the contract labours was not changed rather they continued in the employment of the contractors as the relationship of master and servant between the contractors and the contract labours did not ended by issuing the notification. It is evident that there cannot be two masters. Sub-para-5 further deals that the contractor can utilize the service of those contract labours in other establishment where the notification prohibiting the employment of contract labour is not applicable. This aspect also shows that relationship of contract labours and contractors was not changed. If the contract labour was engaged directly by the principal employer in spite the notification, the status of the contract labours would be definitely different. In the present case, the contract labours were engaged in the establishment by the intermediary who are so-called contractors, the status of the workers is to be adjudged.

91. It is clear that the relationship of master and servant between the Principal employer and the contract labours was not created even if the workers were illegally engaged. Para 125 sub-para 3 of National Union Water Front Workers case deals that there is no automatic absorption of the contract labours and no process to regularize the services of contract labours was started in the light of the direction as given in sub-para-6. As such, the contract labours cannot be said to be in the employment of the Principal employer (SAIL).

92. It is evident from the above discussion that the relationship of master and servant between the contractors and contract labours was not ended by issuance of the notification. It is a matter of consideration that if the contractors or the Principal employer violated the notification or any other provision of law and used the employment of the contract labour in the establishment without absorbing them in the manner stated in sub-para 5 & 6 of Para 125 in the judgement of National Union Water Front Workers case, then what would be the remedy to the union. The only remedy appears to be penal consequences as has been provided under Section 23 to 25 of CLRA Act. It is, thus, established that the workers, who were working from 1993 to April 1996, had not acquired the status of the employees of the principal employer by virtue of notification dated 17-3-1993. I, therefore, find and hold that the employment of workmen through contractors was not sham and bogus before notification dated 17-3-1993 but after publication of the said notification, the said contract through contractors was not genuine as the contract ended.



I further find and hold that the contract labours did not acquire the status of the employees of the principal employer simply on continuation of his employment in the establishment. I further find and hold that the workmen are only entitled to take the recourse of penal consequences under the provision of law. On the basis of above findings, this issue as in reference Case No.21/05 is accordingly, answered.

**93. Issue No. III—**

Shri Nair argued that the facts mentioned in this issue have to be taken as correct. Correctness of the facts mentioned in the order of reference is not open to question. It is submitted that the onus of proving whether the action of Mines Manager in terminating the services of 3404 workmen was legal, fair and justified vest with the management. It is submitted that the argument of the management was that the services were terminating by the contractors is beyond the purview of the reference and after issue of notification, there is neither contractor nor contractor's employees. It is submitted that it is clear from the evidence on record that the workers had continuously worked from 17-3-1993 to April 1996 and Manager of Mines can only terminate the services of the workers and the contractors had no role to play in terminating the workers. Admittedly these workmen were working for more than three years in continuous service and they had been retrenched without any termination letter by the management.

94. Shri Shrivastava submitted that by making the reference that Mines Manager had terminated the services of the workmen, the appropriate government had prejudged the issue without any basis and on this ground alone, the said reference R/40/03 should be answered in negative. It is submitted that this Tribunal has to decide the references in view of the law laid down by the Hon'ble Supreme Court in the case of National Union Water Front Workers Union's case (Supra) as to whether the contract entered into by SAIL is genuine or sham contract. It is submitted that the contractors' workers went on strike, the services of the contract labours were terminated by the contractors. It is submitted that the burden was on the Union to prove that contract was sham and bogus and Union has failed to prove the same.

95. Considering the discussion made above and the evidence on the record, it has come to the conclusion that the relationship of master and servant was not created between the Principal employer (SAIL) and the workers. The reason has already been given above that Para 68 (4) of the National Union Water Front Case (Supra) is implicit clear that the relationship of master and servant between the contractor and the contract labour continued even on

the publication of notification. Moreover it is also clear from the foregoing papers that there was no automatic absorption in the service, as such the relationship was not created between the workers and the principal employer (SAIL). Since there was no relationship the question of termination does not arise. Hence this issue is decided the Union and in favour of the management (SAIL).

**96. Issue No. IV**

Shri Nair, the learned Senior counsel submitted that if the relief is given in issue No. 3 as claimed, further action may not be necessary. It is pertinent to note, that it is held that the relationship of master and servant between the principal employer and the workers was not created as such they were not entitled for relief in issue No. 3.

97. Shri Shrivastava, the learned counsel for the management of SAIL submitted that even if there was violation of law neither the contract labours conferred any right of automatic absorption nor any status higher than which they held. It is further submitted that the Union has not filed a single document nor adduced any evidence that the terminal benefits like gratuity, retrenchment, compensation and ex-gratia has been denied by the Mines Manager to VRS seeking employees. Even otherwise the contract labours are not the employees of the management so question of granting the aforesaid benefits does not arise. Moreover the Union has also not given any details as to what amount of the benefits were to be paid.

98. It appears that is has been established from aforesaid discussion that the alleged contract labours were not the employees of the SAIL management as no absorption process of the contract labours took place by the management of SAIL as such the question to grant any terminal benefits does not arise. This issue is decided against the Union and in favour of the management.

**99. Issues No. V & VI**

It is argued on behalf of the Union that in the light of the clause 8 of memorandum of agreement signed between the SAIL and the workers, management should have implemented the agreement, which was binding on them under Section 18 of the Industrial Disputes Act, 1947. The Workers' Union is affiliated to HMS. HMS was party to the agreement. Therefore, the settlement is applicable to the members of the Union. The workers were not paid wages as per the tripartite settlement and Minimum Wages was statutory that has also not been paid.

100. The management submitted that the NJCS agreement is not applicable to the contract labours and clause 8 of the said agreement and the said agreement is only for the regular employees of SAIL. Clause 8 of the said agreement provides for the review before the same



forum and at no point of time, the Union has made any complaints as regards the violation of clause 8. Even if assuming for the sake of argument that the agreement is applicable the remedy lies under Section 29 of the ID Act.

101. It is evident that it is not established that the alleged contract labours were the employees of the SAIL, as such they were not entitled to any wages as per the agreement. Moreover they were not regular employees of the management and the said agreement appears to be for the regular employees of the management. Thus these issues are also decided against the Union and in favour of the management.

#### 102. Issues No. I & VII

The Union has vehemently argued that the reference case No. R/40/03 is maintainable. Shri Nair submitted that the Tribunal cannot scrutinize the order of the Government in making reference and the power of Tribunal is limited to the points mentioned in Section 10 (4) of the I.D. Act. It is submitted that the Tribunal has no authority to invalidate the reference. The Union has placed reliance on the decisions referred below:—

1. AIR 1953 SC. 53 State of Madras Versus C.P. Sonathy.
2. AIR 1979 SC 170 Avon Services Versus Industrial Tribunal
3. AIR 1979 SC 1356 Pottery Mazdoor Panchayat Versus Perfect Pottery Co.
4. 1983 (4) SCC 491 Shamboo Nath Goel Versus Bank of Baroda
5. 2007 (14) SCC 291 Karan Singh Versus EE, Haryana State
6. 2006 (13) SCC 28 Bhogpur Cooperative Sugar Mills Ltd. Versus Harmesh Kumar
7. 2007 (2) SCC (L&S) 264 National Engineering Industries Versus State of Rajasthan.

It is also urged that the reference order was issued by the Union of India. If the order is to be challenged natural justice is required that the Union of India should be heard. Union of India is not a party before this Tribunal and no order can be passed against the reference.

103. The learned counsel for the management urged that the reference made herein is contradictory and while making the reference, the appropriate Government has not applied its mind. For example, the part-I of the reference deals with the alleged termination of mines workers who ceases to be contract labours after prohibition of

employment of contract labours whereas the third part of the reference speaks about employment of contract labour in the job of perennial nature without ensuring statutory wages. The said two parts of the reference are contradictory one. It is submitted that on one hand the appropriate Government assumed that the contract labours ceases to exist after prohibition in question which is contrary to the law laid down by the Apex Court in SAIL Versus National Water Front Workers Union case (Supra). On the other hand in point no. 3 of the reference speaks about what kind of relief be given to contract labour. The management prays to hold that the reference is bad in law and vague and need not answer the reference on merit.

104. Section 10 (4) of the I. D. Act is reproduced below :

“Where in an order referring an industrial dispute to a Labour Court, Tribunal or National Tribunal under this section, or in a subsequent order, the appropriate Government has specified the points of dispute for adjudication, the Labour Court of the Tribunal or the National Tribunal, as the case may be, shall confine its adjudication to those point and matters incidental thereto.”

This itself shows that the Tribunal has to answer the reference and the matters incidental thereto. If all the three points referred in Reference Case No. R/40/03 are taken into isolation for answering the reference. I am also of the view that the reference, if submitted by the appropriate Government to the Tribunal, it is to be answered in accordance with law. Accordingly, this issue is answered. On the basis of above findings in aforesaid paras, the reference Case No. R/40/03 is answered.

105. In the result in both the references, common award is passed. The parties are to bear their own costs.

106. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 25 सितम्बर, 2009

का. आ. 2891.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैतरनी आयरन माईन्स के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण /श्रम न्यायालय, भुवनेश्वर के पंचाट (संदर्भ संख्या 121/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-9-09 को प्राप्त हुआ था।

[ सं. एल-26012/33/2002-आई आर(एम)]

कमल बाखरू, डेस्क अधिकारी

4. From the record it transpires that, ever since the inception of the case Shri B.S. Pati, General Secretary, North Orissa Workers Union is alone appearing on behalf of the workman as his authorized representative. In one such case between the Management and its workers Shri Pati was declared incompetent to represent the piece rated workers of Baitarani Iron Mines for the reason that these workers were not belonging to the aforesaid Union. In O.J.C. 17216/2001 the Hon'ble Court in an alike manner has held that Shri B.S. Pati the General Secretary of the North Orissa Workers Union is not competent to represent one Shri Madhusudhan Naik a worker of the Management-Company. In the present case also except Shri Pati the workman has never appeared. Though the workman was

specifically asked to appear today, he has failed to appear. Rather Shri Pati as usual appeared though he has no locustandi to represent the workman. As a result the workman was set exparte and the evidence of the Management through affidavit was accepted.

5. From the aforesaid evidence as adduced by the Management it transpires that the disputant-workman and few others were engaged as and when required as piece rated worker and they were being paid on the basis of quantum of work performed by them whenever engaged. In the claim statement the workman has of course stated that he was taken to employment in June 1989 and was refused employment from 12-11-1999. But there is no mention that, he was given such employment on regular basis and that he was issued with any letter of appointment. At Para-4 of the claim statement he further averred that when he approached the Management to know about his non-engagement he was told that for lack of mining activities he could not be engaged but he would be called upon again once the production of the materials is taken up. He further stated that when he was not intimated as to when such production would be taken up, he made a representation for his reinstatement with full back wages. These averments of the workman indirectly suggests that he was engaged as a piece rated worker as contended by the Management. Besides the evidence of the Management shows that the workman had voluntarily expressed his unwillingness to work under the 1st Party-Management on personal grounds and as such the allegations of the workman that he was terminated from 12-11-1999 appears to be un-believable for want of any evidence being adduced from his side. On the other hand the time to time participation of Shri B. S. Pati to represent the workman further strengthens the belief, as contended by the Management, that the case has been mooted at the behest of Shri Pati, an outsider Trade Unionist with whom the disputant has no legal connection.

6. In view of the above and for lack of any evidence from the side of the workman it is held that there is no merit in the dispute and accordingly the reference is answered exparte against the workman.

N. K. R. MOHAPATRA, Presiding Officer

नई दिल्ली, 25 सितम्बर, 2009

का. आ. 2892.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैतरनी आयरन माईन्स के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय भुवनेश्वर के पंचाट (संदर्भ संख्या 119/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-9-09 को प्राप्त हुआ था।

[ सं. एल-26012/31/2002-आई आर.(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 25th September, 2009

S. O. 2892.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 119/2002) of the Central Government Industrial Tribunal /Labour Court, Bhubaneswar now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Baitarani Iron Mines and their workman, which was received by the Central Government on 23-9-09.

[No. L-26012/31/2002-IR(M)]

KAMAL BAKHRU, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BHUBANESWAR

#### PRESENT:

Shri N. K. R. Mohapatra  
Presiding Officer, C.G.I.T. Cum-Labour  
Court, Bhubaneswar.

Industrial Dispute Case No. 119/2002

Date of Passing Award-8th May, 2009  
(Rourkela Camp)

#### BETWEEN

The Management of the Agent,  
Baitarani iron Mines of Dr. Sarojini Pradhan,  
At./Po. Barbil, Dist. Keonjhar,  
Orissa-758 035

....1st Party-management

And

Their Workman Sh. Ram Singh Pingua,  
S/o. Shri Suren Pingua, At. /Po-Birkela,  
Via-Joda, Dist. Keonjhar, Orissa.

....2nd Party-Workman

#### APPEARANCES

Mr. R.N. Rath,  
Legal Adviser

... For the 1st Party-  
Management

None.

... For the 2nd Party-  
Workman

#### AWARD

The Government of India in the Ministry of Labour, in exercise of powers conferred by Clause (d) of sub-section (1) and sub-section 2 (A) of Section 10 of the Industria

Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication vide their Order No. L-26012/31/2002-IR (M), dated 27-11-2002 :

“Whether the action of the management of Baitarani Iron Mines of Dr. S. Pradhan, At./PO. Barbil, Dist. Keonjhar, in terminating the services of Shri Ram Singh Pingua, S/o Suren Pingua, At./PO. Birkela, Via-Joda, Dist. Keonjhar, PRW with effect from 1-10-1999 without serving any notice and without following the provisions of Industrial Disputes Act 1947 is justified? If not, what relief the workman is entitled to?”

2. It is alleged by the workman in his claim statement that he joined in the Baitarani Iron Mines of Dr. Sarojini Pradhan in August 1993 to work as a Miner. While he has worked as such continuously he all of a sudden was refused employment with effect from 1-10-1999 without any advance notice or any terminal benefits being paid to him. He was told that, his termination was due to lack of mining activities and that once the production of minerals commences he would be intimated later. It is further alleged by the workman that thereafter he was never called to work and therefore he made a representation for his reinstatement with full back wages and then due to apathetic attitude of Management he raised an Industrial dispute.

3. In the written statement the 1st Party-Management alleged that the workman was never engaged on regular basis. Rather himself and few others were engaged in the mine on piece rated basis as and when necessary upon their offering to work and they were being paid depending upon the quantum of work performed by them each day. It is further alleged that during non-engagement period these piece rated workers used to work in other mines on daily rated basis. So far as the case of the workman is concerned it is further submitted by the Management that the workman having worked for some days as a piece rated worker did not turn up for work voluntarily much before the alleged date of termination and as such the allegations of the workman that he was refused employment from 1-10-1999 without any advance notice or terminal benefits is nothing but a myth and fictitious story. It is further contended by the Management that the present reference is the brain child of one Shri B.S. Pati, the General Secretary of the so called North Orissa Workers Union with which the Management had got no connecton. It is alleged that this and several other cases have been mooted against the Management at the behest of Shri B.S. Pati, an outside Trade Unionist for his ulterior motive.

4. From the record it transpires that, ever since the inception of the case Shri B.S. Pati, General Secretary, North Orissa Workers Union is alone appearing on behalf

of the workman as his authorized representative. In one such case between th Management and its workers Shri Pati was declared incompetent to represent the piece rated workers of Baitarani Iron Mines for the reason that these workers were not belonging to the aforesaid Union. In O.J.C. 17216/2001 the Hon'ble Court in an alike manner has held that Shri B.S. Pati the General secretary of the North Orissa Workers Union is not competent to represent one Shri Madhusudhan Naik a worker of the Management-Company. In the present case also except Shri Pati the workman has never appeared. Though the workman was specifically asked to appear today, he has failed to appear. Rather Shri Pati as usual appeared though he has no locus standi to represent the workman. As a result the workman was set ex parte and the evidence of the Management through affidavit was accepted.

5. From the aforesaid evidence as adduced by the Management it transpires that the disputant-workman and few others were engaged as and when required as piece rated worker and they were being paid on the basis of quantum of work performed by them whenever engaged. In the claim statement the workman has of course stated that he was taken to employment in August 1993 and was refused employment on 1-10-1999. But there is no mention that he was given such employment on regular basis and that he was issued with any letter of appointment. At Para-4 of the claim statement he further averred that when he approached the Management to know about his non-engagement he was told that for lack of mining activities he could not be engaged but he would be called upon again once the production of the materials is taken up. He further stated that when he was not intimated as to when such production would be taken up, he made a representation for his reinstatement with full back wages. These averments of the workman indirectly suggests that he was engaged as a piece rated worker as contended by the Management. Besides the evidence of the Mangement shows that the workman had voluntarily expressed his unwillingness to work under the 1st Party-Management on personal grounds and as such the allegations of the workman that he was terminated on 1-10-1999 appear to be un-believable for want of any evidence being from his side. On the other hand the time to time par of Shri B. S. Pati to represent the workman strengthens the belief, as contended by the Management, that the case has been mooted at the behest of Shri Pati, an outsider Trade Unionist with whom the disputant has no legal connection.

6. In view of the above and for lack of any evidence from the side of the workman it is held that there is no merit in the dispute and accordingly the reference is answered exparte against the workman.

N. K. R. MOHAPATRA, Presiding Officer

नई दिल्ली, 25 सितम्बर, 2009

## ANNEXURE

का. आ. 2893.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार आई.ओ.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं.-1, चंडीगढ़ के पंचाट (संदर्भ संख्या 27/01 एवं 28/01) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-9-09 को प्राप्त हुआ था।

[ सं. एल-30012/105/2000-आई आर(एम)]

[ सं. एल-30012/104/2000-आई आर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 25th September, 2009

S. O. 2893.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 27/01 and 28/01) of the Central Government Industrial Tribunal/Labour Court, No. 1, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of IOCL and their workman, which was received by the Central Government on 23-9-09.

[No. L-30012/105/2002-IR (M)]

[No. L-30012/104/2002-IR (M)]

KAMAL BAKHRU, Desk Officer

BEFOR SHRI GYANENDRA KUMAR SHARMA,  
PRESIDING OFFICER, CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR  
COURT-1, CHANDIGARH.

Case No. I. D. No. 97/2003 and 22 others (as mentioned  
in the list below)

Shri Anil Kumar &amp; 22 Others (as mentioned in the list below)

....Applicants

Versus

The Executive Director, Indian Oil Corporation Ltd.,  
Panipat Refinery, Panipat- 132140.

....Respondent

## APPEARANCES

For the workman ... Shri Karan Singh, AR

For the Management ... Shri Vivek Kaushal,  
Advocate

## AWARD

Passed on 11-8-09

This award shall dispose off 23 references of different  
workmen referred by the Central Government by different  
Notifications. The references which are being disposed of  
by this award are as follows :—

No.	I. D. No.	Reference No.	Parties Name
1.	97/03	L-30012/27/2002 IR (M) Dated 2-4-2003	Anil Kumar Vs. I.O.C.L.
2.	103/03	L-30012/28/2002 IR (M) Dated 2-4-2003	Tejbir Vs. I.O.C.L.
3.	101/03	L-30012/24/2002 IR (M) Dated 2-4-2003	Rajbir Vs. I.O.C.L.
4.	99/03	L-30012/19/2002 IR (M) Dated 2-4-2003	Dilbag Vs. I.O.C.L.
5.	21/05	L-30012/46/2002 IR (M) Dated 4-5-2005	Rajesh Kumar Vs. I.O.C.L.
6.	27/01	L-30012/105/2002 IR (M) Dated 8-1-2001	Naresh Vs. I.O.C.L.
7.	28/01	L-30012/104/2002 IR (M) Dated 24-1-2001	Raj Pal Vs. I.O.C.L.
8.	87/01	L-30012/131/1997 IR (C-1) Dated 4-3-1999	Rohtas Vs. I.O.C.L.
9.	30/2000	L-30012/74/1999 IR (M) Dated 24-1-2000	Vishnu Dutt Vs. I.O.C.L.
10.	31/2000	L-30012/73/1999 IR (M) Dated 24-1-2000	Sitender Vs. I.O.C.L.
11.	26/05	L-30012/10/2002 IR (M) Dated 8-6-2005	Karamvir Vs. I.O.C.L.
12.	46/04	L-30012/21/2004 IR (M) Dated 2-11-2004	Randhir Singh Vs. I.O.C.L.
13.	568/05	L-30012/26/2002 IR (M) Dated 2-4-2003	Subhash Vs. I.O.C.L.
14.	567/05	L-30012/25/2002 IR (M) Dated 2-4-2003	Sat Pal Vs. I.O.C.L.
15.	98/03	L-30012/23/2002 IR (M) Dated 2-4-2003	Krishan Vs. I.O.C.L.
16.	566/05	L-30012/20/2002 IR (M) Dated 2-4-2003	Suresh Kumar Vs. I.O.C.L.
17.	11/07	L-30012/40/2006 IR (M) Dated 15-1-2007	Sat Pal Vs. I.O.C.L.
18.	14/07	L-30012/39/2002 IR (M) Dated 15-1-2007	Surinder Singh Vs. I.O.C.L.
19.	1/03	L-30012/2/2002 IR (M) Dated 10-12-2002	Jaibir Vs. I.O.C.L.
20.	29/01	L-30012/103/2000 IR (M) Dated 24-1-2001	Inder Vs. I.O.C.L.
21.	27/05	L-30012/9/2002 IR (M) Dated 8-6-2005	Ishwar Singh Vs. I.O.C.L.
22.	28/05	L-30012/8/2002 IR (M) Dated 8-6-2005	Jasbir Singh Vs. I.O.C.L.
23.	69/99	L-30012/132/1997 IR (C-1) Dated 23-1-1999	Joginder Singh Vs. I.O.C.L.

Common questions of law and facts are involved in these references; hence, all the references are hereby disposed of by this award. No doubt the nature of work of few set of workmen was different. Few workmen alleged that they worked as Sweepers, whereas, the others contended that they worked as Mechanic or other some types of similar work. But as stated earlier, the common question for adjudication is same and that is whether there existed any employer-employee relationship between the management of Indian Oil Corporation and the workmen? The relative issue is to what relief the workmen are entitled?

On perusal of the pleadings of the parties, it is evidently clear that workmen have challenged their termination order being violative of the provisions of Industrial Disputes Act. It was contended by the workmen that they were engaged by the management of Indian Oil Corporation directly. They were under the administrative control of the management of the Indian Oil Corporation and they were paid wages by the Indian Oil Corporation. On the other hand, the management Indian Oil Corporation has alleged that all the workmen were engaged on contract and they were the employees of the contractor and not of the Indian Oil Corporation.

Opportunity for adducing evidence was given to the workmen and the management. Evidence was accordingly recorded. Documentary evidence was also filed in some cases by the workmen and almost in all the cases by the management as well. No doubt, the contention in some of the references is different; accordingly, the same shall be dealt with in this award separately. At the cost of repetition, the main issue is the same, i.e. employer-employee relationship.

The evidence of the workman was recorded and in different sets of references, different officer of management was examined. I have gone through the pleadings and evidence of the parties in all the references. It is evidently clear that the matter involved in all the references, is almost similar and the grievances can be redressed by a single award. No doubt, in few references there are some additional pleas taken by the workmen. The pleas so taken shall be discussed and dealt with separately in this very award. Thus, for the purpose of adjudication of all the references, considering similar nature of reference, I am consolidating the files and answering all the references by this award.

I have heard the parties at length. The main arguments of the workmen and their learned legal representative/counsel are that all the workmen were engaged/appointed by the management of Indian Oil Corporation directly and if their appointments have been shown through contractor by the management, it is illegal being against the provisions of the Contract Labour (Regulation and Abolition) Act, 1970. It was further argued

that all the workmen were directly under the administrative control of the management and they were paid wages by the management of Indian Oil Corporation and in fact, they were the employees of Indian Oil Corporation and not of the contractor.

On the other hand, learned counsel for the management of Indian Oil Corporation submitted that there existed no relationship of employer-employee between the management of Indian Oil Corporation and the workmen. The services of the workmen were provided by the different contractors. The consolidated contracted amount was paid to the contractor by the management of Indian Oil Corporation, and thereafter, the wages of the workmen were paid by the contractor and not by the management of Indian Oil Corporation. It was further argued by the learned counsel of the management that there has been no violation of any provisions of the Contract Labour (Regulation and Abolition) Act, 1970. If there is a violation of any provisions of the said Act, the workmen were not to be treated as direct employee of the Indian Oil Corporation but it will resulted into criminal action against the concerned authorities under the penal provisions of the said Act.

The issue of employer-employee relationship between the management of Indian Oil Corporation and the workman is a mixed question of facts and law, and accordingly, shall be adjudicated on the basis of evidence and pleadings of the parties.

In all the references, it is admitted fact that no appointment letter was issued by the management. It is denied by the workmen that the payment of wages were made good by the contractors but on perusal of the documents filed by the management, it is evidently clear that the payment to the workmen were made good by the respective contractors and not by the management of Indian Oil Corporation. Hon'ble Supreme Court in 2008 LLR-801, GM, ONGC, Silchur Vs ONGC Contractual Workers Union had laid down the criteria to establish the direct employee-employer relationship between the workmen and the management of any organization. If we apply the ratio of GM, ONGC, Silchur's case (Supra), the workmen have to prove the following facts to establish the employee-employer relationship:—

1. That there existed a relationship of master and servant.
2. That there was no contractor appointed by the management of Indian Oil Corporation Ltd.
3. The management of Indian Oil Corporation Ltd., used to supervise the alleged work assigned to individual workers.
4. That the management of Indian Oil Corporation Ltd. took disciplinary action and called for explanations from the workers.

5. That the workers were paid wages by the management of Indian Oil Corporation Ltd., directly and not through the contractor.
6. At the cost of repetition, the wages were paid directly to the workers by the management of Indian Oil Corporation Ltd., and the acquaintance roll were prepared by the management of Indian Oil Corporation Ltd., to make the payment to the workers.

If the above mentioned ratio of GM, ONGC, Silchur's case (supra) is applied in all the references, it is clear that workmen have failed to prove that they were appointed/engaged by the management of Indian Oil Corporation. There is no iota of evidence on record to prove that they were directly under the administrative control of the management of Indian Oil Corporation. No doubt, it is contended by the workmen that their attendance were marked by the officers/officials of management of Indian Oil Corporation, but it will not be sufficient to prove the administrative control over them.

In I.D. Nos. 1/2003, 97/2003, 98/2003, 99/2003, 101/2003, 103/2003, 566/2005, 567/2005 and 568 of 2005 the workmen who alleged to work as the sweepers in the office of management of Indian Oil Corporation, contended that there is a difference in the nature of documents filed by them and provided by the management of Indian Oil Corporation. When I perused the documents in detail during the course of arguments, it came to my notice that at the top of the attendance sheet there is a sign of a small piece of paper and after getting the zerox something was written on zerox paper and it was further zeroxed and filed by the workmen in these references. This event was accepted by the learned counsel for the workmen that it seems to be zeroxed by putting some small piece of paper at the space where the name of principal employer was written. Thus, under such circumstances this piece of paper (attendance sheet) cannot be considered in creating the master-servant relationship between the workmen and the management of Indian Oil Corporation.

All the workmen were supposed to file/adduce some cogent evidence like sanction of leave application, disciplinary action taken by the management of Indian Oil Corporation, if any, etc. Few instances have been shown by the workman in their cross-examination. When they were examined by the Tribunal, they stated that they used to apply leave to the officer of Indian Oil Corporation. But there is no piece of document provided to this Tribunal to prove that leave were ever sanctioned to any workmen by the management of Indian Oil Corporation. Thus, the instances enumerated by the workmen in the references are not sufficient to constitute the administrative control by the management of Indian Oil Corporation over all the workmen. Accordingly, the workmen have failed to prove

that they were under the administrative control of the management of Indian Oil Corporation.

On the payment of wages, the management of Indian Oil Corporation has filed the documentary evidence, which proves that consolidated amount on the basis of number of days worked by the workmen were given to the contractor and the contractor on the other hand used to pay wages to the workmen. The management has filed all the relevant documents, such as, attendance sheet signed by the officers of Indian Oil Corporation, order of payment passed on attendance of the workmen to the contractor, and thereafter, the payment of wages by the contractor to the workmen. Moreover, the management has also filed the detailed description of pay rolls containing all the details of payment of wages made good to its workmen, employees and officers. The name of workmen did not find place in these pay rolls.

The management of Indian Oil Corporation has also apprised this Tribunal that there is the procedure for recruitment of workmen for a particular work. No workman was recruited/appointed as per the rules of the department. Their services were provided by a contractor on outsourcing.

On perusal of all the evidence, oral and documentary, given by the workmen/officer of the management of the Indian Oil Corporation, I am of the view that payment of wages to all the workmen were made good by the contractor and not by the management of Indian Oil Corporation.

The above discussion proves that neither the workmen were appointed/engaged by the management of the Indian Oil Corporation nor they were under the administrative control of the Indian Oil Corporation. They were also not paid the wages by Indian Oil Corporation. Hence, there existed no master-servant relationship between the management of Indian Oil Corporation and the workmen. In few of the references, it is contended by the workmen that the contractor, if any, shown by the management of Indian Oil Corporation was camouflage and shame. In ONGC Silchur's case (supra), the conditions under which a contractor can be treated as camouflage and shame are mentioned. Hon'ble Supreme Court in this case has relied upon the law laid down in Steel Authority of India Ltd. and others Vs National Union Water Workers and Others AIR 2001 SC-3527. The question before this Tribunal is under what circumstances the contract between management of Indian Oil Corporation and the workmen can be held to be shame and camouflage? In case the contract has been held to be shame and camouflage, the contract labour working under the management of principal employer are held to be the employees of the Indian Oil Corporation. It depends on the facts and circumstances of each case, whether the contract executed in between management and the contractor is camouflage and shame? It is also an issue of facts and has to be decided

on the facts and circumstances of the case. Whether there is a genuine contractor, and whether there is a proper master-servant relationship in between the management of the Indian Oil Corporation and the workmen also depends on the facts and circumstances of each reference. The Court/Tribunal has to apprise whether these facts emerged in reality or there was some paper arrangement to make the payment good to the workmen through contractor.

In few of the references, the nature of contractor is challenged by the workmen. No doubt, almost in all the references it is not mentioned in the pleadings that there was a contract between the contractor and the management of Indian Oil Corporation. But the documents provided and filed by the management of Indian Oil Corporation proved that the workmen were having the notice and knowledge that their services are being taken through a contractor. On the basis of the documents, I am of the view that prior to raising the Industrial dispute the workmen were having the knowledge and notice that their services were provided to the management of Indian Oil Corporation through contractor, but there is no mention of this fact in pleadings almost in all the references barring few. It is contended by the workmen that the contract is sham and camouflage and void being against the provisions of Contract Labour (Regulation and Abolition) Act, 1970. Unless and until the terms and conditions as laid down in GM, ONGC's case (supra) are not fulfilled, no workman can be treated as the direct employee of Indian Oil Corporation.

The next issue for the disposal before this Tribunal is whether the workmen will be deemed to be in the services of the management of Indian Oil Corporation on account of violation of any of the provisions of Contract Labour (Regulation and Abolition) Act, 1970. It is issue of law and has limited concern with the facts. On the issue of facts, I have already given my view that the workmen are not employees of the management of Indian Oil Corporation but their services were provided by the different contractors to the management. As this issue of law is also raised by the parties, it is the duty of this Tribunal to decide it as well. On this issue, I am of the view that there may be three circumstances :—

1. There may be a case where the practice of contract labour is prohibited by the appropriate Government under Section 10 (1) of the Contract Labour (Regulation and Abolition) Act, 1970.
2. There may be an issue regarding the registration of establishment of principal employer under Section 7 of the Contract Labour (Regulation and Abolition) Act, 1970.
3. There may be an issue regarding the license by the contractor under Section 12 of the Contract Labour (Regulation and Abolition) Act, 1970.

The issue to be decided is whether in the case of violation of any of the provisions mentioned under Section 10(1), Section 7 and Section 12 of the Contract Labour (Regulation and Abolition) Act 1970, the contract labour shall be deemed to be an employee of the Principal employer?

This issue has been settled by Hon'ble the Apex Court in Steel Authority of India Ltd.'s case (supra). Moreover, Punjab and Haryana High Court in Food Corporation of India and others Vs. Presiding Officer, Central Government Industrial Tribunal-cum-Labour Court-I, Chandigarh and others 2008 LLR 391, has decided this issue after relying the ratio of Steel Authority of India Ltd., case (supra). Without mentioning the relevant paras of Steel Authority of India Ltd's case (supra) and of Food Corporation of India and others Vs. Presiding Officer, Central Government Industrial Tribunal-cum-Labour Court-I's case (supra), I am relying the ratio of both of the judgments, and the ratio of both of the judgement, is that if there is any violation of Section 7, Section 10 and Section 12 of The Contract Labour (Regulation and Abolition) Act, then only penal provisions of Section 23 and Section 25 of the said Act are attracted. Hence, it is nowhere provided that such employees, employed through the contractor would become employees of the principal employer. I have gone through the facts and circumstances of the case. Almost in all the references the registration and the license have been produced by the management of Indian Oil Corporation. It may only resulted in penal actions under Section 23 and Section 25 of the Contract Labour (Regulation and Abolition) Act, 1970, if there is any violation of any provisions of the Contract Labour (Regulation and Abolition) Act.

Accordingly, I am of the view that none of the workmen was the employee of the management. There was no relationship of master-servant and employer and employee between the workmen and the management of Indian Oil Corporation. Thus, no question for termination of the services of the workmen by Indian Oil Corporation arises. All the references are answered accordingly and the workmen are not entitled for any relief. Let the Central Government be informed, and thereafter, file be consigned to record room.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 30 सितम्बर, 2009

का. आ. 2894.—जबकि मैसर्स गोदरेज कंस्ट्रक्शंस प्रोडक्ट्स लि., [मुंबई-11 क्षेत्र में कोड संख्या एमएच/ 45339 के अंतर्गत] (एतदुपरान्त प्रतिष्ठान के रूप में संदर्भित) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) (एतदुपरान्त अधिनियम के रूप में संदर्भित) की धारा 17 की उप-धारा (1) के खण्ड (क) के अंतर्गत छूट के लिए आवेदन दिया है।



2. और जबकि, केन्द्र सरकार के विचार में अंशदान दर के मामले में उक्त प्रतिष्ठान के भविष्य निधि के नियम उसके कर्मचारियों के लिए उक्त अधिनियम की धारा 6 में विनिर्दिष्ट की तुलना में कम हितकर नहीं हैं और कर्मचारी भी समान प्रकृति के किसी अन्य प्रतिष्ठान के कर्मचारियों के संबंध में उक्त अधिनियम या कर्मचारी भविष्य निधि योजना, 1952 (एतदुपरान्त उक्त प्रतिष्ठान के रूप में संदर्भित) के अंतर्गत अन्य भविष्य निधि लाभ भी प्राप्तकर रहे हैं।

3. केन्द्र सरकार एतद्वारा, अब उक्त अधिनियम की धारा 17 की उप-धारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा इस संबंध में समय - समय पर विनिर्दिष्ट शर्तों को ध्यान रखते हुए, उक्त प्रतिष्ठान को उक्त योजना के समस्त उपबंधों के प्रचालन से 01-05-2001 से अगली अधिसूचना तक के लिए छूट प्रदान करती है।

[सं. एस-35015/90/2009-एस. एस-II]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 30th September, 2009

S. O. 2894.—Whereas M/s. Godrej Consumer Products Ltd. [under Code No. MH/45339 in Mumbai-II Region] (hereinafter referred to as the establishment) has

applied for exemption under clause (a) of sub-section (10) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the Act).

2. And whereas in the opinion of the Central Government, the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable to employees therein than those specified in Section 6 of the said Act and the employees are also in enjoyment of other provident fund benefits provided under the said Act or under the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the Scheme) in relation to the employees in any other establishment of similar character.

3. Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of Section 17 of the said Act and subject to the conditions specified in this regard from time to time, the Central Government, hereby, exempts the said establishment from the operation of all the provisions of the said Scheme with effect from 01-05-2001 until further notification.

[No. S-35015/90/2009-SS-II]

S. D. XAVIER, Under Secy.